

Lancashire County Council

Development Control Committee

Wednesday, 13th July, 2016 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Agenda

Part I (Open to Press and Public)

No. Item

1. **Apologies for absence**
2. **Appointment of Chair and Deputy Chair**
To note the appointment by the County Council on the 26 May 2016, of County Councillors M Dad and K Ellard as Chair and Deputy Chair of the Committee, respectively, for 2016/17.
3. **Constitution, Membership and Terms of Reference of the Committee** (Pages 1 - 4)
4. **Disclosure of Pecuniary and Non-Pecuniary Interests**
Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.
5. **Minutes of the last meeting held on 25 May 2016** (Pages 5 - 12)
The committee are asked to agree that the Minutes of the last meeting held on 25 May 2016 be confirmed and signed by the Chair.
6. **Preston City: application number. LCC/2015/0070 Variation of condition 3 of permission 06/10/0169 to vary the hours of operation of the shredder to 07.30 to 17.30 Monday to Friday (except bank holidays) 7.30 to 13.00 on Saturdays with no metal processing operations to be undertaken by the shredder recycling plant at any time on Sundays and public holidays.** (Pages 13 - 36)
Recycling Lives, Longridge Road, Preston

- 7. Fylde Borough: Application number LCC/2016/0013** (Pages 37 - 46)
Erection of a detached office building and an open sided extension to the existing waste transfer building to cover a conveyor belt and two outside storage bays. (Retrospective application). Land at Lidun Park Industrial Estate, Off Boundary Road, Lytham.
- 8. Fylde Borough: Application No. LCC/2016/0014** (Pages 47 - 66)
Change of use of land and building as an extension to the existing adjacent waste transfer station and for the storage of skips (Retrospective application). Land at Lidun Park Industrial Estate, Off Boundary Road, Lytham.
- 9. West Lancashire Borough: Application Number LCC/2016/0022** (Pages 67 - 76)
Change of use of land and buildings to a waste transfer station and for the storage of skips, the provision of three metal corrugated cabins for use as staff toilets and a kitchen, and 25 car parking spaces. Units 11 - 13 Simonswood Industrial Estate, Stopgate Lane, Simonswood, Kirkby
- 10. South Ribble Borough: application number. LCC/2016/0035** (Pages 77 - 98)
Variation of condition 1 of permission 07/11/0739 to allow the development to continue until 01 June 2031 and variation of condition 26 of permission 07/11/0739 to allow site operations from 06.30am Mondays to Fridays, in relation to the extraction of sand and restoration to agricultural land by the importation of waste at Lydiate Lane Sand Quarry, Lydiate Lane, Farington, Leyland.
- 11. Chorley Borough: Application Number. LCC/2016/0037** (Pages 99 - 114)
Proposed new three form entry primary school for pupils aged 4-7 including single storey building, car parking area, hard surface play area, grass playing pitch and 1.5m and 2.4m high perimeter fencing. Trinity CE Methodist Primary School, Brookwood Way, Buckshaw Village, Chorley.

- 12. Chorley Borough: Application Number LCC/2016/0039** (Pages 115 - 132)

Single storey extension to provide 3 additional classrooms, a studio, a staff room, a new visitor reception and lobby area, storage space, two cloakroom/ toilet areas for the teaching areas and circulation corridors, a relocated and smaller 17 space car park with associated lighting columns, conversion of the existing grassed playing field into an all-weather pitch with 3.6m high weld mesh fencing, and revised junior playground area and extended infant playground area. St. Georges Primary School, Carr Lane, Chorley.

- 13. Preston City: Application number. LCC/2016/0046** (Pages 133 - 138)
Development of new highways including Preston Western Distributor, Cottam Link Road and East West Link Road.

- 14. Planning Applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.** (Pages 139 - 140)

15. Urgent Business

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

16. Date of Next Meeting and timetable of meetings for 2016/17

The next meeting of the Development Control Committee will be held on Wednesday 7 September 2016 at 10.00 a.m. in Cabinet Room B - the Diamond Jubilee Room, County Hall, Preston.

Future meetings are scheduled for:

19 October, 2016
7 December, 2016
18 January, 2017

1 March, 2017
12 April, 2017

All meetings will be held at 10.00am at County Hall,
Preston.

County Hall
Preston

I Young
Director of Governance,
Finance and Public Services

Development Control Committee

Meeting to be held on 13 July 2016

Electoral Division affected: N/A

Constitution, Membership and Terms of Reference of the Committee

(Appendix A refers)

Contact for further information:

Cath Rawcliffe, 01772 533380, Legal and Democratic Services

Cath.rawcliffe@lancashire.gov.uk

Executive Summary

The Constitution, Membership and Terms of Reference of the Development Control Committee.

Recommendation – Summary

That the Constitution, Membership and Terms of Reference of the Development Control Committee be noted.

Background

The County Council at its meeting on the 26 May 2016 approved the constitution of the Development Control Committee as being 15 members on the basis of 7 from the Labour Group, 6 from the Conservative Group, 1 from the Liberal Democrat Group and 1 Independent. The following members were appointed by their respective groups:

County Councillors

T Aldridge	M Johnstone
M Dad	N Penney
B Dawson	P Rigby
K Ellard	A Schofield
M Green	K Sedgewick
P Hayhurst	K Snape
D Howarth	D Westley
B Yates	

The committee's Terms of Reference are set out at Appendix 'A'. The Committee is asked to note that the Terms of Reference need to be updated to reflect legislative changes and this will be taken forward as part of a wider review of the Constitution.

Consultations

N/A

Advice

N/A

Alternative Options to be considered

N/A

Implications: e.g. Financial, Legal, Personnel, Human Rights, Crime and Disorder or Other

This item has the following implications: Nil

**Local Government (Access to Information) Act 1985
List of Background Papers**

Paper	Date	Contact/Directorate/Ext
County Council Agenda	26 May 2016	Cath Rawcliffe, Legal and Democratic Services, Tel. 01772 533380

Appendix A

Development Control Committee

Terms of Reference

The Committee shall carry out the following functions:

1. To determine applications for planning permission, consent or approval and other similar applications under Sections 70, 72, 73A and 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992.
2. To exercise the functions in the Town and Country Planning Act 1990 under Sections 70A (to decline to determine planning permission) 73 (to vary conditions of Planning Permissions), 94 (Completion Notices), 97 (Revocation and Modification Orders), 102 (Discontinuance Orders) 106 (Agreements Regulating Development), 171C (Planning Contravention Notices), 172 (Enforcement Notices), 183 (Stop Notices), 187A (Breach of Condition Notices), and 187B (Application for Injunctions).
3. To determine applications for certificates of lawful use or development and certificates of lawfulness of proposed use or development and issue certificates, as appropriate, under Sections 191 and 192 of the Town and Country Planning Act 1990.
4. To exercise the functions relating to the making of determinations of planning applications under Section 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (Development Management Procedure) Order 2010.
5. To exercise powers to apply for an injunction in relation to a listed building under Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990.
6. To determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active phase I or II sites, or mineral permissions relating to mining sites, are to be subject, under the Planning and Compensation Act 1991 and the Environment Act 1995.
7. To exercise powers to enter into agreements for the execution of highway works under Section 278 of the Highways Act 1980 in relation to development the subject of an application before the Committee for determination.
8. To exercise the function under Section 34 of the Wildlife and Countryside Act 1981 (Limestone Pavement Orders).
9. To exercise powers under Sections 198 and 199 of the Town and County Planning Act 1990 (Tree Preservation Orders).

10. To exercise powers in relation to replacement trees under Sections 206 and 207 and 213 of the Town and Country Planning Act 1990, and powers to grant consents under Tree Preservation Orders and to give directions as to the replanting of land under paragraphs 7 and 8 of the Schedule to the Trees Regulations 1999.
11. To authorise entry onto land under Section 196(A) of the Town and Country Planning Act 1990.
12. To exercise powers under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
13. To exercise powers to make determinations, grant approvals and approve other matters relating to permitted development rights under Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995.
14. To exercise powers to determine applications for Hazardous Substances Consent and related powers under Sections 9 and 10 of the Planning (Hazardous Substances) Act 1990.
15. To determine whether, and in what manner, to enforce any failure to comply with any approval, consent, licence, permission or registration granted by the Committee in the exercise of its responsibilities.
16. To make any appointments to outside bodies to which the Council is entitled to have representation in connection with the discharge of any of the Committee's functions.
17. To authorise by Order the stopping up or diversion of footpaths or bridleways under Section 257 of the Town and Country Planning Act 1990.
18. To extinguish by Order public rights of way over land held for planning purposes under Section 258 of the Town and Country Planning Act 1990.
19. To establish a Sub-Committee(s) to undertake any part of the Committee's functions.
20. To authorise the issue of temporary stop notices under Section 171E of the Town and Country Planning Act 1990.
21. To consider and approve for adoption the Supplementary Planning Guidance on Landscape and Heritage.

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 25th May, 2016 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Present:

County Councillor Munsif Dad (Chair)

County Councillors

T Aldridge	N Penney
B Dawson	P Rigby
K Ellard	A Schofield
M Green	K Sedgewick
P Hayhurst	K Snape
D Howarth	D Westley
M Johnstone	

Announcement

The Chair reported the sad death of County Councillor Michael Devaney who passed away on 19 May 2016.

Councillor Devaney was elected as a Conservative member to the County Council in 2009 and represented the electoral division of Chorley Rural North. During this time he held the position of Chairman of the County Council and Chair of the Development Control Committee.

The Committee joined with the Chair in paying tribute to Councillor Devaney.

1. Apologies for absence

None received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor K Snape declared a non pecuniary interest in agenda Items 4 and 10 as a member of Chorley Borough Council.

County Councillor D Howarth declared a non pecuniary interest in agenda Items 6 and 9 as a member of South Ribble Borough Council.

County Councillor K Ellard declared a non pecuniary interest in agenda Item 8 as the electoral division member for the area.

County Councillor P Hayhurst declared a non pecuniary interest in agenda Item 5 as a member of Fylde Borough Council.

County Councillor Green declared a non pecuniary interest in agenda items 6 and 9 as a member of South Ribble Borough Council. Councillor Green also declared a non pecuniary interest in agenda item 6 as he is acquainted with one of the objectors to the application

3. Minutes of the last meeting

That the Minutes of the last meeting held on 13 April 2016 be confirmed and signed by the Chair.

4. Chorley Borough: application number LCC/2015/0069 Revised working scheme including amended levels and extension of the mineral extraction and landfill areas at Clayton Hall Landfill Site, Dawson Lane, Whittle Le Woods

A report was presented on an application for a revised working scheme including amended levels and extension of the mineral extraction and landfill areas at Clayton Hall Landfill Site, Dawson Lane, Whittle Le Woods.

The Committee was reminded that at their meeting held on 2 March 2016, they had resolved to defer consideration of the application to allow officers to examine opportunities to control waste types on the site. A copy of the previous report was attached at Appendix A.

The Development Management Officer presented a PowerPoint presentation which included an aerial photograph of the site and the nearest residential properties. The committee was also shown photographs of the proposed extension area and an illustration of the site layout plan and landscaping scheme.

Councillor Cullens, the borough councillor for the area, addressed the committee and reiterated a number of concerns raised in the report in relation to existing problems with noise, foul odours, flies, and bird nuisance at the site. It was suggested that if the committee was minded to approve the application, they should consider imposing additional conditions to further mitigate the impact of the proposals on local residents. These included conditions to control waste types and to ensure the site was capped/covered each evening. It was also suggested that a review be undertaken within six months of the commencement of operations.

In response to concerns raised by the Members, the officers advised that the extension area was at the furthest point from the main residential area and that the conditions attached to the planning permission would assist in mitigating the impact of the development on local residents. Further scrutiny and control of the restoration works would be undertaken by the Environment Agency through

the Environmental Permitting process and that it was not for the County Council to duplicate these controls.

Resolved: That, subject to the applicant first entering into a s.106 Agreement for the extended management of landscaping and habitats for a period of 5 years in addition to 5 years of aftercare controlled by condition (including the site area under permission 09/98/0049 (now replaced by permission 09/13/1075)), and the maintenance and management of footpaths and public access in perpetuity, and after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, planning permission be **granted** subject to the conditions set out at Appendix A in the report to the committee.

**5. Fylde Borough: Application number LCC/2016/0014
Change of use of land and building as an extension to the existing adjacent waste transfer station and for the storage of skips (Retrospective application). Land at Lidun Park Industrial Estate, off Boundary Road, Lytham.**

A report was presented on an application for a retrospective change of use of land and building as an extension to the existing adjacent waste transfer station and for the storage of skips on land at Lidun Park Industrial Estate, off Boundary Road, Lytham.

The report included the views of Fylde Borough Council, the County Council's Highways Development Control and Specialist Advisor (Ecology), the Environment Agency, Natural England and details of two letters of objection received.

The Development Management Officer presented a PowerPoint presentation which included an aerial photograph of the site and the nearest residential properties. The committee was also shown an illustration of the site layout plan and landscaping scheme and photographs of the site from various viewpoints.

The officer reported orally that the applicant has submitted further information in response to the committee report and in particular comments on conditions 6 and 8. The applicant had also commented upon the noise, dust and odour impacts that had been raised by local residents. The comments together with the officer advice, was set out in the Update Sheet and circulated at the meeting (Copy attached at Annex 1 to the Minute Book).

A local resident addressed the committee and objected to the proposals on the grounds that the continued development and operations at the site caused severe detriment to the amenity of residents. A recording of the noise levels emanating from the site was played at the meeting to demonstrate this point. It was maintained that the persistent and continuing breaches to the conditions designed to mitigate noise and dust levels and contained within previous permissions had failed to safeguard residential amenity.

Following debate during which officers responded to questions raised by the Members with regard to noise, the reported breach of operating hours and the enforcement of planning conditions, it was Moved and Seconded that:

"The application be deferred to allow the Development Control Committee visit the site prior to determining the application."

Upon being put to the vote the Motion was Carried. It was therefore:

Resolved: That the application be deferred to allow the Development Control Committee to visit the site prior to determining the application.

**6. South Ribble Borough: application number. LCC/2016/0025
Proposed roof alteration to house additional tanks at 117-118
Clydesdale Place, Moss Side Industrial Estate, Leyland.**

A report was presented on an application for a proposed roof alteration to house additional tanks at 117-118 Clydesdale Place, Moss Side Industrial Estate, Leyland.

The Committee was reminded that they had granted planning permission for a smaller proposed roof alteration to house additional tanks in December 2015.

The Development Management Officer presented a PowerPoint presentation which included an aerial photograph of the site and the nearest residential properties. The committee was also shown photographs of the site and an illustration of the roof alteration and proposed vehicle turning area.

Resolved: That planning permission be granted subject to the conditions set out in the report to the Committee.

**7. Ribble Valley Borough: application number. LCC/2016/0027
Importation and processing of construction and demolition waste
including road planings and reclaimed asphalt pavement (RAP)
including the regularisation of the RAP hopper. Bankfield Quarry,
Pimlico Link Road, Clitheroe.**

A report was presented on an application for an application for the importation and processing of construction and demolition waste including road planings and reclaimed asphalt pavement (RAP) including the regularisation of the RAP hopper at Bankfield Quarry, Pimlico Link Road, Clitheroe.

The report included the views of Ribble Valley Borough Council, Clitheroe Town Council, the County Council's Highways Development Control, the Environment Agency and details of one letter of representation received.

The Development Management Officer presented a PowerPoint presentation which included an aerial photograph of the site and the nearest residential properties. The committee was also shown photographs of the site from various aspects.

Mr Tunstall addressed the committee on behalf of his clients who owned a plot of land adjacent to the site for which outline planning permission had been granted for residential dwellings. Concern was expressed that the applicant's noise report did not acknowledge the existence of this planning permission and that the proposed recycling activity would give rise to harm to the occupiers of the proposed residential development due to noise and night time activities. Concern was also expressed at the number of additional HGV vehicle movements the proposals would generate. The Committee was requested to defer the application to enable the applicant to revisit the appropriate noise and traffic assessments to specifically consider the impact of the development on the proposed housing development. Mr Tunstall also suggested an amendment to Condition 8 to ensure noise levels emitted from the site did not exceed the levels stated in condition 30 and 31 when measured from the proposed housing development.

Officers responded to questions raised by the Members in relation to the retrospective nature of part of the application and reminded the committee that the current planning permission for the quarry was time limited until 2018. The committee was advised that should an application be made for a continuation of any quarrying and recycling beyond that date, there would be opportunity to review night-time working and noise limitations at that time.

Resolved: That planning permission be **granted** subject to the conditions set out in the report to the committee.

**8. Preston City: application number. LCC/2016/0029
Application for the removal of condition 4 and the variation of
condition 5 of permission 06/12/0695 to remove the restriction on
opening hours of the visitor centre and to allow amplified music
within the building from 9am to 1am Mondays to Sundays.
Brockholes Nature Reserve, Preston New Road, Samlesbury**

A report was presented on an application for the removal of condition 4 and the variation of condition 5 of permission 06/12/0695 to remove the restriction on opening hours of the visitor centre and to allow amplified music within the building from 9am to 1am Mondays to Sundays at Brockholes Nature Reserve, Preston New Road, Samlesbury.

The report included the views of South Ribble Borough Council, Preston City Council, Samlesbury Parish Council and details of sixteen letters of representation received including one from Nigel Evans MP.

The Development Management Officer presented a PowerPoint presentation which included an aerial photograph of the site and the nearest residential properties.

The officer reported orally that a further representation had been received objecting to the application. It was felt that playing amplified music was not conducive to a site that was meant to be a nature reserve. The noise and vehicle headlights would disrupt the wildlife and there were many underutilised venues elsewhere that would not present such risks.

The Committee was advised that similar issues had been made in other representations and were addressed in the committee report.

The applicant addressed the Committee and spoke in support of the application. It was explained that income from weddings and other celebrations was required to fund the management of the surrounding nature reserve. The current restrictions on the playing of amplified music limited the ability to attract this business. The applicant pointed out that they were willing to comply with the mitigation measures proposed, including the use of a noise limiter which would restrict outputs from a PA system to a pre-set level.

Following debate during which officers responded to questions raised by the Members in respect of the extension of working hours, it was:

Resolved: That planning permission be **granted** subject to the conditions set out in the report to the committee.

**9. South Ribble Borough: application number LCC/2016/0035
Variation of condition 1 of permission 07/11/0739 to allow the development to continue until 01 June 2031 and variation of condition 26 of permission 07/11/0739 to allow site operations from 06.30am Mondays to Fridays, in relation to the extraction of sand and restoration to agricultural land by the importation of waste at Lydiate Lane Sand Quarry, Lydiate Lane, Farington, Leyland.**

A report was presented on an application for a variation of condition 1 of permission 07/11/0739 to allow the development to continue until 01 June 2031 and variation of condition 26 of permission 07/11/0739 to allow site operations from 06.30am Mondays to Fridays, in relation to the extraction of sand and restoration to agricultural land by the importation of waste at Lydiate Lane Sand Quarry, Lydiate Lane, Farington, Leyland.

The Development Management Officer advised that a site visit would provide the Committee with a clearer understanding of the development proposal, any issues raised, and the relationship of the site to the surrounding area before the application is determined.

Resolved: That the Development Control Committee visits the site before determining the application.

- 10. Chorley Borough: Application number. LCC/2016/0037
Proposed new three form entry primary school for pupils aged 4-7 including single storey building, car parking area, hard surface play area, grass playing pitch and 1.5m and 2.4m high perimeter fencing.
Trinity CE Methodist Primary School, Brookwood Way, Buckshaw Village, Chorley**

A report was presented on an application for a proposed new three form entry primary school for pupils ages 4-7 including single storey building, car parking area, hard surface play area, grass playing pitch and 1.5m and 2.4m high perimeter fencing.

The Development Management Officer advised that the main planning issues raised by the proposal related to the traffic impacts on the highway network particularly on Buckshaw Avenue, Central Way and Brookwood Way. Given that this application was for the development of a new school, it was proposed that the Committee visit the site before considering the application.

Resolved: That the Development Control Committee visits the site before determining the application.

- 11. Planning Applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.**

It was reported that since the last meeting of the committee, five planning applications had been granted planning permission by the Head of Service Planning and Environment in accordance with the County Council's Scheme of Delegation.

Resolved: That the report be noted.

- 12. Urgent Business**

There were no items of urgent business.

- 13. Date of Next Meeting**

Resolved: That the next meeting of the Committee be held on Wednesday 13 July 2016.

I Young
Director of Governance, Finance
and Public Services

County Hall
Preston

Development Control Committee

Meeting to be held on 13 July 2016

Electoral Division affected: Preston East
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Preston City: application number. LCC/2015/0070

Variation of condition 3 of permission 06/10/0169 to vary the hours of operation of the shredder to 07.30 to 17.30 Monday to Friday (except bank holidays) 7.30 to 13.00 on Saturdays with no metal processing operations to be undertaken by the shredder recycling plant at any time on Sundays and public holidays.

Recycling Lives, Longridge Road, Preston
(Appendix A refers)

Contact for further information:
Jonathan Haine, 01772 534130
DevCon@lancashire.gov.uk

Executive Summary

Variation of condition 3 of permission 06/10/0169 to vary the hours of operation of the shredder to 07.30 to 17.30 Monday to Friday (except bank holidays) 7.30 to 13.00 on Saturdays with no metal processing operations to be undertaken by the shredder recycling plant at any time on Sundays and public holidays.
Recycling Lives, Longridge Road, Preston

Recommendation – Summary

That planning permission be granted subject to conditions relating to working programme, hours of operation, noise, stockpiling and protection of water resources and implementation of environmental improvements.

Background

A report relating to this planning application was originally presented to the Development Control Committee on 2nd March 2016. At that meeting it was resolved to refuse planning permission with the application being brought back to the following meeting to confirm the precise reasons for refusal.

A report then followed to the meeting on 13th April 2016 which outlined possible reasons for refusal. However, on discussion of the report, it was resolved that the application be deferred in order to allow further discussions with the applicant as to the mitigation measures that might be employed to address the concerns of the committee regarding the environmental impacts of the additional hours of operation.

The previous committee reports are attached at appendix A.

Advice

Following the Committee meeting on 13th April 2016, the applicant has submitted further information outlining the mitigation measures which are proposed to further address any noise, dust and other amenity impacts resulting from the operation of this site.

These measures include the following:-

- The pre shredder referred to in the previous Committee report has been installed and has now been in operational use for several months. The pre shredder allows scrap metal including crushed cars to be slowly separated and broken up into smaller pieces prior to being admitted into the main fragmentising plant. The applicant has stated that since the pre shredding machine has been installed there have been no further 'flame' or explosive events resulting from gas bottles or other explosive items being admitted into the fragmentising plant. The pre shredder also has other more general benefits in terms of noise as the hammer mill in the fragmentising plant will not have to work as hard to process metals as they will have already been partially processed and reduced in size by the pre shredder. The pre shredder by itself does not produce significant amounts of noise.
- The applicant is also proposing to install insulated panels onto the steel framework surrounding the main fragmentising plant to better enclose the plant which should be beneficial in terms of noise impacts.
- An updated dust management plan which provides for a number of improvements including spraying of foam into the hammer mill to encapsulate dust particles, enclosure of the outfeed conveyor and other pieces of processing plant on two sides to prevent wind whipping of dust, fitting a scraper bar to the conveyor to clean the belt and prevent dust emissions on its return and maintenance of the existing dust netting located on the northern boundary of the site.
- Installation of new concrete panel walls or increase in height of existing walls to further contain noise.
- Replacement and alterations of the on site lighting including that fixed to the existing perimeter walls to reduce off site glare and light pollution.

In terms of the variation subject to this application, it should be noted that the existing permission restricts the operation of the fragmentising plant to 14.00. Permission is sought to extend the operation of the fragmentising plant until 17.30 hours which is an additional 3½ hours per day but which would still result in the plant only being used within normal business operating hours.

The mitigation measures referred to above should be effective in further reducing the environmental impacts of this development, both in terms of the incidence of the 'flame events' referred to in the representations and also the more general impacts including noise, dust and light pollution.

The applicant has requested that the hours of operation condition be worded such that the operation of the pre shredder is not restricted by the general hours of operation stated in condition 2. The applicant states that longer hours of operation are needed for this equipment as it is slower process which therefore takes longer to produce a stockpile of pre shredded waste suitable to feed the fragmentiser plant. The applicants wish for flexibility is noted. However, the operation of this equipment still produces some noise and therefore it is considered that the hours of use of the pre shredder should be restricted to 07.30 – 18.30 Mondays to Fridays and 08.00 – 13.00 on Saturdays.

Subject to the conditions set out in the previous committee report together with an additional condition requiring an implementation plan to be submitted for the above environmental improvements, it is considered that the proposed extension of working hours for the fragmentising plant is acceptable and is recommended for approval.

Recommendation

That planning permission be **Granted** subject to the following conditions

Working Programme

1. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
 - a) The Planning Application ref 6/10/0169 and supporting statement received by the County Planning Authority on 18th March 2010 as amended by the planning application ref LCC/2015/0070 received on 15th July 2015.
 - b) Submitted Plans and documents:

Plans and Drawings submitted with planning application 6/10/0169:_

Drawing E5800098105 -01-ZNG1 Rev A - Installation Drawing
Drawing 649/SK/01 Rev B - Existing site layout plan
Drawing 649/PL/01 Rev A - Location Plan
Drawing 649/SK/05 Rev D - Proposed Site Layout Plan
Environmental Noise Impact Study - R0243-REP01A-SJW (as amended May 2010)
Preliminary Services Drawing
Transport Statement - T1242 REV 1 - February 2010
 - c) All schemes and programmes approved in accordance with this permission.

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

2. No metal recycling operations including operation of the fragmentising plant shall take place outside the hours of:

07.30 to 17.30 hours, Mondays to Fridays (except Public Holidays)

08.30 to 13.00 hours on Saturdays

No metal recycling operations or operation of the fragmentising plant shall take place at any time on Sundays or Public Holidays.

The above hours of operation shall not apply to the operation of pre shredding plant which shall not be operated outside the hours of:-

07.30 - 18.30 hours Mondays to Fridays

08.00 - 13.00 on Saturdays

No operation of the pre shredding equipment shall take place at any time on Sundays or public holidays.

The requirements of this condition shall not apply to the depollution of end of life vehicles, to metal recycling operations taking place within the building or carrying out essential repairs to plant and machinery used on site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

3. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

4. Within three months of the date of this planning permission, a scheme and programme for the review of the existing boundary treatments to the site shall be submitted to the County Planning Authority for approval in writing.

The scheme and programme shall include details of the following:-

a) A review of the heights of the existing boundary treatments on the south western, north western and north eastern boundaries permitted under permission ref 6/12/0964 including the heights of concrete panels and steel uprights and the positioning of the floodlighting with respect to the concrete panels.

- b) The need for additional fencing along the south western boundary of the site including design and heights of fencing.
- c) the need for additional landscaping to screen the existing or proposed fencing to include details of areas to be planted, sizes and species of plants, planting techniques and protection measures.
- d) A timescale for the installation of the additional boundary treatments and landscaping measures.

Reason: In the interests of local amenity and to secure the proper screening of the site and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

- 5. A copy of this permission and all other documents referred to in condition 1 shall be available for inspection at the site office at all times throughout the development.

Reason: For the avoidance of doubt and to ensure that all site operatives are aware of the planning conditions and approved documents and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

- 6. No waste materials or recycled materials shall be stockpiled outside the areas shown for this purpose on Drawing 649/SK/05 rev D and such stockpiles shall not exceed 5 metres in height.

Reason: In the interests of local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

- 7. No waste other than ferrous and non ferrous metals, waste electronic and electrical equipment and end of life vehicles shall be deposited at or brought onto the site.

Reason: Waste materials outside these categories raise environmental and amenity issues which would require consideration afresh and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

- 8. Any chemical, oil or fuel storage containers on the site shall be sited on an impervious surface with bund walls; the bunded areas shall be capable of containing 110% of the container or containers' total volume and shall enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses. There must be no drain through the bund floor or walls. Double skinned tanks may be used as an alternative only when the design and construction has first been approved, in writing, by the County Planning Authority.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

9. Provision shall be made for the collection, treatment and disposal of all water entering or arising on the site to ensure that there shall be no discharge of contaminated or polluted drainage to ground or surface waters.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

10. Within three months of the date of this planning permission, an implementation plan of measures to further reduce noise and dust impacts from the site shall be submitted to the County Planning Authority for approval in writing.

The implementation plan shall specify each of the improvements to be undertaken to the site together with a timescale for the carrying out of the works specified in the scheme.

Reason: In the interests of local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2015/0070		

15th July 2015

Jonathan Haine
Planning and Environment
534130

Reason for Inclusion in Part II, if appropriate
N/A

Development Control Committee
Meeting to be held on 2nd March 2016

Electoral Division affected:
Preston East

Preston City: Application number. LCC/2015/0070
Variation of condition 3 of permission 06/10/0169 to vary the hours of operation of the shredder to 07.30 to 17.30 Monday to Friday (except bank holidays), 7.30 to 13.00 on Saturdays with no metal processing operations to be undertaken by the shredder recycling plant at any time on Sundays and public holidays.

Recycling Lives, Longridge Road, Preston.

Contact for further information:
Jonathan Haine, 01772 534130
DevCon@lancashire.gov.uk

Executive Summary

Application - Variation of condition 3 of permission 06/10/0169 to vary the hours of operation of the shredder to 07.30 to 17.30 Monday to Friday (except bank holidays), 7.30 to 13.00 on Saturdays with no metal processing operations to be undertaken by the shredder recycling plant at any time on Sundays and public holidays.

Recycling Lives, Longridge Road, Preston.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling working programme, hours of operation, review of boundary treatments, noise, stockpiling and protection of water resources.

Applicant's Proposal

The application is for a variation of condition 3 of planning permission 6/10/0169 to vary the hours of use within which the metal shredding machinery can be used.

Condition 3 currently restricts the use of such machinery to between 07.30 – 14.00 hours on Mondays to Fridays and from 07.30 – 13.00 hours on Saturdays with no operations on Sundays or Public Holidays.

The applicant wishes to vary this condition so that the metal shredding equipment can be used between the hours of 07.30 – 17.30 hours Monday to Friday and from 07.30 - 13.00 hours on Saturdays with no operations on Sundays or public holidays.

Description and Location of Site

The application site is an existing metal recycling facility located off the B6243 Longridge Road, Preston approximately 1 km south west of Grimsargh and 4km east of Preston city centre. The recycling site measures around 6 ha in area and lies to the north of Longridge Road from where access is gained and is separated from the road by a landscaped strip. To the northeast of the site are a number of industrial units including car dismantlers and scrapyards on the Rough Hey Road Industrial Estate. Running along the south western boundary is the Guild Wheel cycle path beyond which is the distribution warehouse and central offices belonging to EH Booths Ltd. To the north west is the former Preston – Longridge railway line beyond which is the distribution warehouse belonging to James Hall Ltd.

The application site itself is comprised of a large industrial building measuring 120 metres by 120 metres which is used for the processing of non ferrous metals and recycling of electronic equipment. To the rear is a yard area which is used for the depollution and breaking of end of life vehicles and processing of ferrous metals. The yard area includes a large processing plant which is used to shred and fragment metals.

The nearest residential properties to the fragmentiser plant are located 450 metres to the north east of the site off Longridge Road and on the Hills Estate, Grimsargh.

Background

History: Planning permission was granted for the change of use of use of land from storage and distribution to a metal recycling site was granted in 2010 (planning permission 6/10/0169). The permission provided for the erection of a metal fragmentising plant in the northern part of the site.

A further permission (ref 6/12/0984) was granted in 2013 for the erection of a concrete panel screen wall to part of the site boundaries.

Planning Policy

National Planning Policy Framework : Paragraphs 6 – 14, 17 and 122 -123 of the NPPF are relevant with regards to the definition of sustainable development, core planning principles, and prevention of pollution and noise impacts.

Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD (JLMWDF)

Policy CS9 Achieving sustainable waste management.

Joint Lancashire Minerals and Waste Local Plan (JLMWLP)

Policy DM2 Development Management

Central Lancashire Core Strategy

Policy 10 Employment Premises and Sites

Preston City Local Plan – Site Allocations and Development Management Plans

Policy V1 Model Policy

Consultations

Preston City Council: The City Council objects to the application as the proposed extension in hours of operation would create undue noise which would impact on residential amenity.

LCC Developer Support (Highways): No objection.

Environment Agency: The EA have no objection in principle to the extension of the operating hours. However, they consider that the operation of the fragmentiser plant is currently contributing to a number of amenity impacts including noise, dust and explosion events and that an extension of hours would lead to an increase in the frequency of such events. The EA consider that the hours should not be extended until such improvements are in place.

In a further response, the EA note that the applicant has now proposed a number of improvements to the plant including installation of a pre shredder which is due to be completed imminently. The EA also note that off site dust levels appear to comply with standards but that further monitoring is required. In relation to noise, the EA state that their latest monitoring indicates that current daytime noise levels are not giving rise to impacts due to background noise levels but that there are still some concerns about noise in the late afternoon period (17.00 – 17.30) and on Saturdays but that a further review of the management systems for noise and vibration control will be carried out with the Company.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Ten representations have been received objecting to the application which can be summarised as follows:-

Three representations are from residential properties on the Hills Estate or on Longridge Road who raise the following issues:-

- Noise from the site, including crashing metal, often continues until 1.30 am and any planning applications that would result in more noise should be rejected.
- Noise from site interferes with sleep at the nearest residential properties.

The other representations originate from other industrial and commercial properties which adjoin the application site and which raise the following issues:-

- The site has given rise to explosions, a major fire, smell and a fly infestation which as affected employees working in adjacent industrial units.

- The site gives rise to significant levels of noise and the increased working hours would worsen these problems.
- The shredding plant has already worked outside permitted hours.
- The operations on site have given rise to dust impacts.
- The explosions are frightening to staff and have caused damage to adjacent buildings.
- Windows in adjacent units cannot be opened due to the impacts of noise, fumes and odour and the site has an unacceptable impact on staff welfare.
- The site is an inappropriate location for a metal fragmentiser plant and longer hours should not be permitted.
- The site is adjacent to EH Booths warehouse and central offices. The central offices have a high quality design and the explosion events have had impacts upon the structure of the building, including the glass curtain walling and have caused distress to staff.
- Booths state that they objected to the original planning application in 2010 for the change of use of the site to a scrapyards but later withdrew their objections as their concerns were allayed by the applicant company. However, their earlier fears have been exceeded and therefore no further permissions should be granted.
- The installation of additional plant may require planning permission and an environmental impact assessment.

Advice

Planning permission was originally granted in 2010 for the change of use of a former distribution warehouse and attached yard area to a metal recycling site. The permission included provision of plant and machinery located at the rear of the site for the shredding and fragmentising of metals.

The fragmentising plant is located on the north western and north eastern boundaries of the site and is of significant scale. The highest part of the plant is around 13 metres high and 90 metres in length. The plant includes a feed hopper, a main fragmentising plant incorporating a hammer mill for the mechanical breaking and shredding of scrap metal and a number of 'downstream' screening plants linked by conveyors for separating different metal types.

In the planning application, the applicant proposed that the fragmentising plant would be used between the hours of 07.30 - 14.00 Mondays to Fridays and 07.30 – 13.00 on Saturdays with no operation of the plant on Sundays and public holidays. These hours were incorporated into condition 3 of the planning permission. No other controls were imposed with respect to hours of operation and therefore metal recycling operations within the general yard area and within the building are currently unrestricted.

The applicant has now applied to amend condition 3 of planning permission 6/10/0169 so that the metal fragmentising plant can be used between the hours of 07.30 – 17.30 Mondays to Fridays with no change to the hours on Saturdays and Sundays. Longer hours are required to maximise production and to allow for maintenance during normal working hours.

Scrap metal including end of life vehicles is imported to the site for recycling. End of life vehicles are normally crushed for ease of transport. Scrap metal is then loaded into a hopper at the start of the fragmentising plant and passes through a hammer mill which breaks down the feedstock into smaller pieces so that it can be separated into different metal types through magnetic separators. The hammer mill is able to accept crushed cars to reduce them to fragmented metal and is therefore a large and powerful piece of equipment which can generate significant levels of noise. There are also occasions where items such as fuel tanks or particularly gas bottles concealed within larger bails of metal are fed into the process and which then give rise to explosions or 'flame events' when they are passed through the hammer mill. The shredded product then passes along a series of conveyors and other separation plant situated adjacent to the north eastern boundary of the site.

The application for longer operating hours for the fragmentising plant has given rise to a number of objections including from residents who are concerned about noise levels including in the night time period. A number of businesses on the Rough Hey Road Industrial Estate which are located immediately adjacent to the fragmentiser plant have objected due to the incidence of the explosion events causing vibration and disturbance, flies, general dust and noise levels. Agents for EH Booth Ltd who have a distribution warehouse and main office to the south east of the application have objected particularly in relation to the disturbance to staff and structural damage to their head office building caused by the explosions.

The plant subject to this application is part of a significant recycling operation and therefore makes an important contribution towards the recycling of metals in the north west. The facility as a whole therefore contributes to ensuring that waste metals are managed at the highest level possible within the waste hierarchy. The extension of working hours for the fragmentising plant would further enable that objective to be achieved by increasing the volume of material that can be processed by the plant. However, it is also important to ensure that such operations are undertaken with due regard to local amenity and the health and safety of other adjacent landusers.

Paragraph 120 – 123 of the NPPF requires that planning decisions should ensure that new development is appropriate to its location and that the effects of pollution on general amenity should be taken into account. In carrying out this exercise, it states that LPA's should focus on whether the development itself is an acceptable use of land and the impact of the use rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. In such circumstances LPA's should assume that these regimes will operate effectively.

In their response to the planning application, the Environment Agency state that the site is regulated by them through an environmental permit. The EA state that they consider that the operation of the fragmentising plant is currently contributing towards a number of off site amenity impacts and that an increase in operating hours could increase the risk of impact pending implementation of further control measures including enclosure of the fragmentiser, installation of a pre shredder and further monitoring. In a further response, the EA state that the applicant Company are current working to install a pre shredder and that they are in discussions with the Company regarding a range of other measures to mitigate for noise and dust. The

pre shredder would reduce explosion events as it would allow vehicles and other crushed metal to be slowly pulled apart enabling a visual inspection before waste is admitted into the hammer mill. The EA consider that installation of the pre shredder would prevent the majority of the explosion events.

In response to recent explosion events, (most recently on the 9th February), the EA have served a notice on the applicant Company which prohibits certain waste streams from being imported to the site – these waste streams are end of life vehicles which are imported in crushed form from elsewhere and which the EA consider are responsible for the majority of the explosion events.

The principle of the use on this site has already been established. The planning issue to consider is whether the use of the fragmentiser plant for an additional 3.5 hours on Monday to Friday afternoons will result in unacceptable impact on local amenity by reason of noise, dust or other impacts. In relation to noise, the EA state that their most recent monitoring indicates that current noise levels from general site operations are not causing an off site impact due to the generally high background noise levels in this area. It is considered that the background noise levels over the proposed extended period will not be dissimilar to those during the current permitted working hours and therefore, it is unlikely that noise from normal operations between the hours of 14.00 – 17.30 would give rise to unacceptable impacts. There are still issues with particularly high instantaneous noise events and vibration levels arising from the explosion events. However, the EA have the controls within the permitting system to exclude the waste streams that are likely to cause such events and can also require the operator to install improvements (such as the pre shredder) to reduce the incidence of such events. Given the main detrimental impacts of the site arise from particular aspects of the operation, which the EA have the power to control, it is considered that the extension of operating hours is acceptable.

The boundaries of the external yard area are currently formed by a concrete panel wall which is constructed between metal columns. This wall was permitted in 2013 (planning application 6/12/0964) and varies in height between 6 and 4.5 metres high and provides some screening to the metal recycling operations. However, the metal columns extend beyond the height of the concrete panels. A condition to the planning permission requires the metal columns to be reduced in height so that they equate with the height of the columns but to date this condition has not been complied with. It is considered that there would be some merit in reviewing the design of the wall including the addition of a further row of concrete panels to raise the height of the wall, particularly on the north eastern boundary of the site where the fragmentiser plant adjoins other industrial units. Such works would provide additional screening of noise and dust and the visual impacts arising from the raising of the wall would be acceptable in this industrial location. It is therefore considered that a condition should be imposed requiring a further review of the boundary treatments to the site.

Objections have also been received in relation to odours and flies. It is understood that these issues arose through the importation of metal cans derived from household waste collections. The extension of working hours for the fragmentiser would not increase the likelihood of such impacts and in any event, odours and pests are matters for the EA to control through the permit.

There are currently no restrictions on the hours of operation for the site outside of the fragmentiser. A number of objections, particularly from local residents, are concerned with noise disturbance arising from activities on this site in the evening and night time period. The applicant has agreed that they would accept a control on the hours of general site operations in the external yard as part of a new permission to allow the fragmentiser to be operated for an extended period. Such controls would clearly reduce the impact of the operation on local amenity particularly for the nearest residential receptors.

In conclusion, the concerns of local residents and other adjacent land users with regard to the operations on this site are acknowledged. However, the principle of the use of the fragmentiser plant on this site has already been approved through the 2010 permission and it is considered that the extension in the hours of use of the plant in normal operation would not give rise to unacceptable impacts on local amenity or health and safety. Whilst there are concerns in relation to particular aspects of the operation of the plant, these are matters that can be controlled effectively by the Environment Agency and the planning system should proceed on the basis that these regimes will operate effectively. On this basis, the application is considered acceptable in relation to Policy DM2 of the Lancashire Minerals and Waste Local Plan.

In view of the scale, location and nature of the development, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **Granted** subject to the following conditions:

Working Programme

1. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
 - a) The Planning Application ref 6/10/0169 and supporting statement received by the County Planning Authority on 18th March 2010 as amended by the planning application ref LCC/2015/0070 received on 15th July 2015.

- b) Submitted Plans and documents:

Plans and Drawings submitted with planning application 6/10/0169: _

Drawing E5800098105 -01-ZNG1 Rev A - Installation Drawing
Drawing 649/SK/01 Rev B - Existing site layout plan
Drawing 649/PL/01 Rev A - Location Plan
Drawing 649/SK/05 Rev D - Proposed Site Layout Plan
Environmental Noise Impact Study - R0243-REP01A-SJW (as amended May 2010)
Preliminary Services Drawing

c) All schemes and programmes approved in accordance with this permission.

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development] and to minimise the impact of the development on the amenities of the local area, and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

2. No metal recycling operations including operation of the fragmentising plant shall take place outside the hours of:

07.30 to 17.30 hours, Mondays to Fridays (except Public Holidays)
08.30 to 13.00 hours on Saturdays

No metal recycling operations or operation of the fragmentising plant shall take place at any time on Sundays or Public Holidays.

The requirements of this condition shall not apply to the depollution of end of life vehicles, to metal recycling operations taking place within the building or carrying out essential repairs to plant and machinery used on site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

3. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

4. Within three months of the date of this planning permission, a scheme and programme for the review of the existing boundary treatments to the site shall be submitted to the County Planning Authority for approval in writing.

The scheme and programme shall include details of the following:-

- a) a review of the heights of the existing boundary treatments on the south western, north western and north eastern boundaries permitted under permission ref 6/12/0964 including the heights of concrete panels and steel uprights and the positioning of the floodlighting with respect to the concrete panels.
- b) the need for additional fencing along the south western boundary of the site including design and heights of fencing.

c) the need for additional landscaping to screen the existing or proposed fencing to include details of areas to be planted, sizes and species of plants, planting techniques and protection measures.

d) a timescale for the installation of the additional boundary treatments and landscaping measures.

Reason: In the interests of local amenity and to secure the proper screening of the site and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

5. A copy of this permission and all other documents referred to in condition 1 shall be available for inspection at the site office at all times throughout the development.

Reason: For the avoidance of doubt and to ensure that all site operatives are aware of the planning conditions and approved documents and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

6. No waste materials or recycled materials shall be stockpiled outside the areas shown for this purpose on Drawing 649/SK/05 rev D and such stockpiles shall not exceed 5 metres in height.

Reason: In the interests of local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

7. No waste other than ferrous and non ferrous metals, waste electronic and electrical equipment and end of life vehicles shall be deposited at or brought onto the site.

Reason: Waste materials outside these categories raise environmental and amenity issues which would require consideration afresh and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

8. Any chemical, oil or fuel storage containers on the site shall be sited on an impervious surface with bund walls; the bunded areas shall be capable of containing 110% of the container or containers' total volume and shall enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses. There must be no drain through the bund floor or walls. Double skinned tanks may be used as an alternative only when the design and construction has first been approved, in writing, by the County Planning Authority.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

9. Provision shall be made for the collection, treatment and disposal of all water entering or arising on the site to ensure that there shall be no discharge of contaminated or polluted drainage to ground or surface waters.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Ext
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LCC/2015/0070		
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15th July 2015		
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Jonathan Haine Planning and Environment 534130		
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Reason for Inclusion in Part II, if appropriate
N/A

Development Control Committee
Meeting to be held on 13th April 2016

Electoral Division affected: Preston East
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Preston City: application number LCC/2015/0070
Variation of condition 3 of permission 06/10/0169 to vary the hours of operation of the shredder to 07.30 to 17.30 Monday to Friday (except bank holidays) 7.30 to 13.00 on Saturdays with no metal processing operations to be undertaken by the shredder recycling plant at any time on Sundays and public holidays. Recycling Lives, Longridge Road, Preston.
Appendix A refers

Contact for further information:
Jonathan Haine, 01772 501772 534130
DevCon@lancashire.gov.uk

Executive Summary

Application : Variation of condition 3 of permission 06/10/0169 to vary the hours of operation of the shredder to 07.30 to 17.30 Monday to Friday (except bank holidays) 07.30 to 13.00 on Saturdays with no metal processing operations to be undertaken by the shredder recycling plant at any time on Sundays and public holidays.

Recycling Lives, Longridge Road, Preston.

Recommendation – Summary

Based upon the Committee's conclusion that the impacts of the proposal are considered likely to be so great as to render the proposal unacceptable, then the application be refused for the following reason:-

The proposed extension of operating hours for the fragmentiser plant would be likely to have unacceptable impacts on the amenities of adjacent land users by reason of noise, dust and vibration contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Background

This application was reported to the meeting of the Development Control Committee on 2nd March 2016. A copy of the report is set out at Appendix A. The Committee resolved to refuse the application having concluded that the proposal would be likely to result in unacceptable harm to the amenities of the area. The Committee further resolved that the application should be reported back to the next available committee to confirm the full reasons for refusal.

Applicants proposal and Description and Location of Site

This information was included within the report to the Development Control Committee meeting of 2nd March 2016.

Planning Policy

The following policies were considered to be of most relevance to the proposal:-

National Planning Policy Framework

Paragraphs 6 – 14, 17 and 122 – 123 of the National Planning Policy Framework are relevant with regards to the definition of sustainable development, core planning principles and prevention of pollution and noise impacts.

Joint Lancashire Minerals and Waste Development Core Strategy

Policy CS9 Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan

Policy DM2 Development Management

Central Lancashire Core Strategy

Policy 10 Employment premises and sites

Preston City Local Plan

Policy V1 Model policy

Policy AD1(a) Development within (or in close proximity to) the existing residential area.

Policy AD1(a) was not referenced in the report to the 2nd March 2016 Committee but is considered to be relevant to the planning application.

Consultations

The consultation responses and representations relevant to the application were summarised in the report to the 2nd March 2016 Development Control Committee meeting. No further consultation responses or representations have been received subsequent to the report being published.

Two presentations by members of the general public were made to the meeting of the Development Control Committee on 2nd March 2016 which are summarised as follows:-

Mr Andrew Tait from Abbot Associates representing Booths Supermarkets – explained that his client's property was close to the south west boundary of the site. A number of explosions had caused significant distress to Booth's staff from air pressure effects and noise which had caused the glass panels at the rear of their central offices to move and crack. 60 – 80 staff were employed at the Booths site but the explosion events have resulted in the office building having to be evacuated which has made staff apprehensive. The additional hours would give potential for more explosive events. Mr Tait noted that pre shredding equipment had been installed at the site – the effectiveness of this should be monitored before there is any agreement to longer hours. The decision on the current planning application should therefore be deferred to allow this to take place.

Mr Marco del Pol (Agent on behalf of applicant) – his clients were pleased to note the conclusions and recommendations of the report. He noted that the merits of the pre shredder had been set out by the case officer in his presentation to the committee. The pre shredder had cost £¾ million to install and should reduce the incidence of flame events. He urged the committee not to defer consideration of the application as requested by Abbot Associates but to accept the officer's recommendation.

Advice

After hearing the officer presentation and public speakers opposing and supporting the proposal, the Committee resolved:-

- i) that the application be refused due to the likely detrimental impacts of the proposed development on local amenity and;
- ii) that a further report setting out the precise reasons for refusal in terms of the policies of the Development Plan be reported back to the Committee.

At the 2nd March Committee, the concerns of Members of the Committee related to the impacts of noise, vibration and dust arising from the operation of the fragmentiser plant and particularly the impacts of flame events resulting from inappropriate materials being admitted into the fragmentiser plant.

Policy DM2 of the Lancashire Minerals and Waste Local Plan is a central policy against which all waste management proposals are considered. The policy supports waste management operations where it can be demonstrated that all material social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels.

The application is to extend the hours of use of the fragmentiser plant and the proposed development would therefore result in an extended period over which the impacts of this plant including noise, dust and vibration might be experienced. In the light of the consultation responses and representations received from adjacent landusers, the Committee could conclude that the longer hours of operation for the

fragmentiser plant would extend the duration of such impacts on the adjacent landusers contrary to Policy DM2 of the LMWLP.

Policy AD1(a) of the Preston City Local Plan - Site Allocations and Development Management Policies sets out criteria for assessing development within or in close proximity to the existing residential area. The policy states that such development will be permitted where the design and scale of development is sensitive to and in keeping with the character and appearance of the area, there would be no adverse impact on residential amenity by reason of noise and general disturbance, the proposal would not lead to an over concentration of non residential uses and the proposal would not lead to an over intensification of use of the site. The City Council considers that the proposal is contrary to this policy.

The supporting text to policy AD1(a) does not specify the distances where development would be considered to be in close proximity to existing residential areas. The nearest properties are located around 450 metres to the north east of the site on the edge of Grimsargh and whilst the separation distances are considerable, it is considered that this policy could be considered relevant to this application.

The policy requires that development in such areas would not give rise to adverse impacts on residential amenity by reason of noise and general disturbance. Whilst the additional hours of use of the fragmentiser plant would extend the duration over which the impacts are experienced, the nearest residential properties are located at some considerable distance from the site with a range of other industrial uses in between. It is unlikely that there would be any dust or vibration impacts over such long distances and therefore the only possible effects might be in terms of noise. However, some of the nearest properties are located adjacent to a busy road and day time noise levels in the general area are relatively high given the proximity of the motorway and other industrial / distribution type developments. Therefore, it is considered that it would be difficult to demonstrate that the proposed development would be so harmful to residential amenity that it would be contrary to Policy AD1(a). Consequently, to refer to this policy in any reason for refusal would not be sustainable.

Human Rights

Article 1 of the 1st Protocol concerns the enjoyment of property and provides that everybody is entitled to the peaceful enjoyment of his possessions and that no one should be deprived of the enjoyment of property except in the public interest. The refusal of planning permission has the potential to affect the applicant's rights under this Article. However, the County Council has a duty to secure the proper location and design of waste recycling development in order to protect the amenities of local land users as set out in the policies of the Development Plan. The proposal would conflict with these policies and the interference in the rights of the applicant is therefore considered to be justified in order to protect the public interest. It is considered that the public interest can only be safeguarded by refusal of permission and that refusal of the application would not place a disproportionate burden on the applicant.

Conclusions

At the meeting of the Committee on 2nd March 2016 it was resolved to refuse the application due to its likely detrimental impact on local amenity but to report the application back to a subsequent meeting in order to agree full reasons for refusal. Taking into account the location of the site and the likely impacts of the development, it is considered that the proposal could be found to be contrary to Policy DM2 of the LMWLP due to the impacts on adjacent landusers. However, it is considered unlikely that the proposal would have a unacceptable impacts on the nearest residential properties and therefore there would be no conflict with Policy AD1(a) of the Preston City Local Plan – Site Allocation and Development Management Policies.

Recommendation

If the Committee concludes that the likely impacts of the proposal would be so great as to render the proposal unacceptable, then the application be refused for the following reason:

The proposed extension of operating hours for the fragmentiser plant would be likely to have unacceptable impacts on the amenities of adjacent land users by reason of noise, dust and vibration contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
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LCC/2015/0070		
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15th July 2015		
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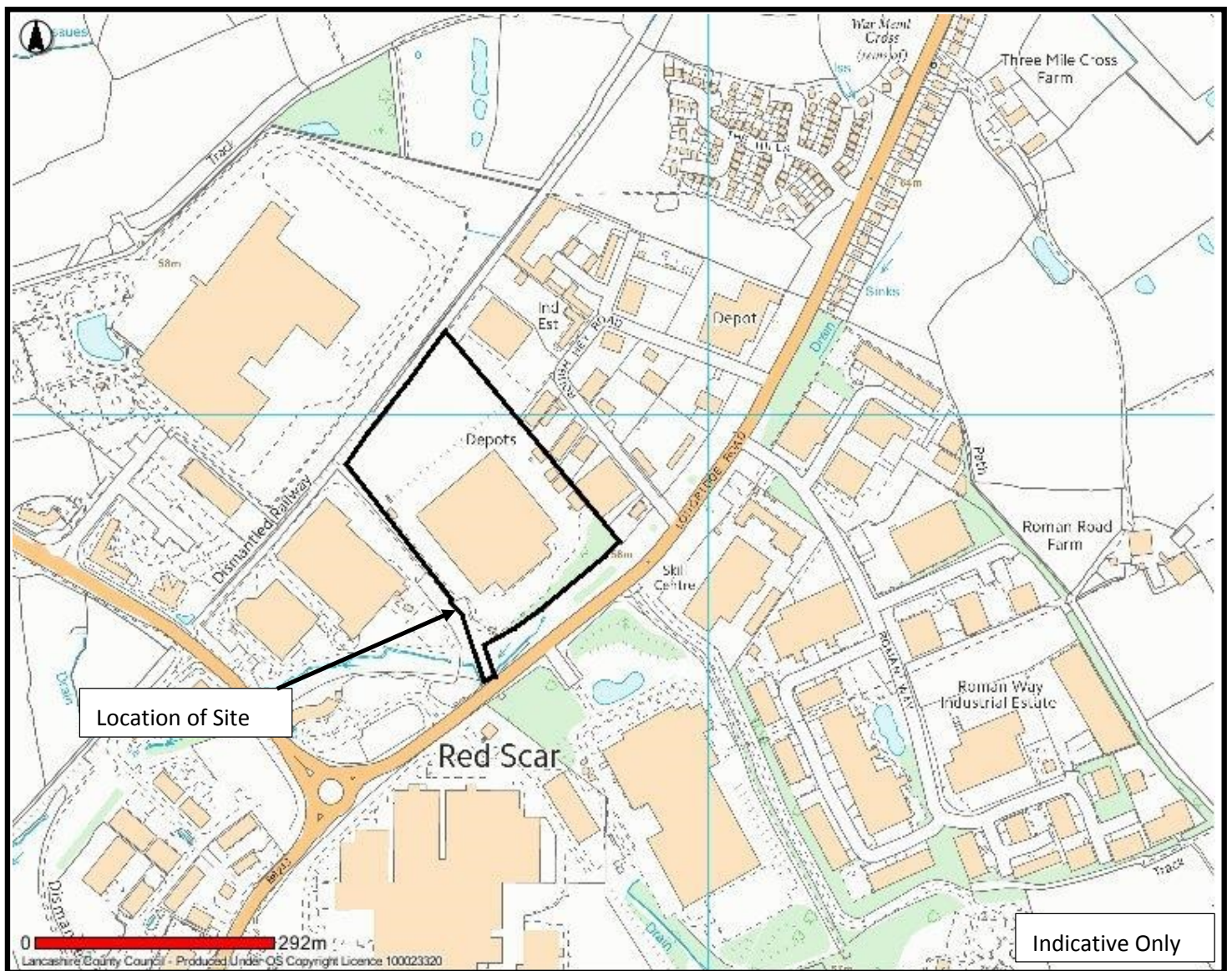
Report to the Development Control Committee		
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2 March 2016		
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Jonathan Haine Planning and Environment 534130		
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Reason for Inclusion in Part II, if appropriate N/A		
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APPLICATION LCC/2015/0070 VARIATION OF CONDITION 3 OF PERMISSION 06/10/0169 TO VARY THE HOURS OF OPERATION OF THE SHREDDER TO 07.30 TO 17.30 MONDAY TO FRIDAY (EXCEPT BANK HOLIDAYS) 7.30 TO 13.00 ON SATURDAYS, NO METAL PROCESSING OPERATIONS SHALL BE UNDERTAKEN BY THE SHREDDER RECYCLING PLANT AT ANY TIME ON SUNDAYS AND PUBLIC HOLIDAYS. WORK CAN BE CARRIED OUT OUTSIDE THESE HOURS FOR ESSENTIAL REPAIRS TO PLANT AND MACHINERY USE ON THE SITE. RECYCLING LIVES, LONGRIDGE ROAD PRESTON.



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Development Control Committee
Meeting to be held on 13th July 2016

Electoral Division affected: Lytham
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Fylde Borough: Application number LCC/2016/0013
Erection of a detached office building and an open sided extension to the existing waste transfer building to cover a conveyor belt and two outside storage bays. (Retrospective application). Land at Lidun Park Industrial Estate, Off Boundary Road, Lytham.

Contact for further information:
Rob Jones, 01772 534128
DevCon@lancashire.gov.uk

Executive Summary

Application - Erection of a detached office building, and an open sided extension to the existing waste transfer building to cover a conveyor belt and two outside storage bays. (Retrospective application). Land at Lidun Park Industrial Estate, Off Boundary Road, Lytham.

Recommendation – Summary

That planning permission be **granted** subject to conditions relating to working programme.

Applicant's Proposal

The proposal is for retrospective planning permission for the erection of a detached office building, and an open sided extension to the existing waste transfer building to cover a conveyor belt and two outside storage bays.

The office building measures 7.3 metres by 3.9 metres by 2.8 metres high with a flat felt roof and concrete blockwork walls. There are three windows and a door in the north elevation, and a window and a door in the east and west elevations, respectively, with all frames made from white uPVC.

The open sided extension to the existing waste transfer building is a metal framed structure partially enclosed by green profiled metal sheeting, except for its north and part east side where it is open. It measures 6.2m by 3m with a maximum height of 5.5m being located above the two smallest storage bays. The extension contains a conveyor belt from which sorted materials are deposited into storage bays below.

There are three outside open storage bays adjoining the existing waste transfer building; two are 3.1m wide and one is 4m wide and all bays have a length of 4.7m and light blue metal 2.8m high dividing walls.

Description and Location of Site

The site is located on the northern edge of the Lidun Park Industrial Estate on the outer edge of Lytham approximately 2km north-east from the town centre. Access to the industrial estate is from Boundary Road that leads on to the A584 Lytham Road. The site measures approximately 42 metres by 36 metres (0.15 ha). It consists of a waste transfer building measuring 23 metres by 16.8 metres by 7.1 metres high that occupies the south-west quarter of the site. The office building is located close to the north side of the transfer building and the western boundary of the site. The storage bays are located against the east side of the transfer building and close to the southern boundary of the site. Above the two smallest bays are the conveyor belt within the open sided extension. The remainder of the site is a hard surfaced yard area used for the outside storage of sorted waste and skips.

The site is bordered to the east by a tidal watercourse known as the Main Drain that forms a part of the Lytham Coastal Changes Site of Special Scientific Interest (SSSI) beyond which are agricultural fields, to the south and west by existing units within the industrial estate, and to the north by the another part of the industrial estate that is used for waste transfer purposes and is currently the subject of planning application LCC/2016/0014, reported elsewhere on this agenda.

The nearest residential dwellings are on Cheviot Avenue that back onto a railway line that separates them from the industrial estate. The curtilage of the closest property is 75m to the west of the office building and 100m from the open sided extension and the associated sorting and screening equipment.

Background

Planning permission for the change of use of vacant land to a Waste Transfer Station and the erection of an associated industrial building, was granted on 22 May 2008 (ref. 05/08/0326).

Land adjacent to the site is subject to the following permission and current undetermined planning application that are relevant to the current application:

Planning permission for the change of use of land for the storage of empty skips was granted on 07 May 2015 (ref. 15/0152) by Fylde Borough Council. The permission is temporary for a period of five years and relates to land adjacent to the railway line to the west of the application site.

A retrospective planning application for the change of use of land and building as an extension to the existing adjacent waste transfer station and for the storage of skips (ref. LCC/2016/0014), is reported elsewhere on this agenda.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17 - 19, 56 – 66, 103 – 104, 109, 123 and 125 are relevant with regard to the requirement for sustainable development, core planning principles,

building a strong competitive economy, the requirement for good design, flood risk, conserving and enhancing the natural environment, noise and light pollution.

National Planning Policy for Waste – section 7 is relevant with regards to the determination of planning applications.

National Planning Practice Guidance

Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD

Policy CS7 Managing Waste as a resource
Policy CS8 Identifying Capacity for managing our waste
Policy CS9 Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One (LMWLP)

Policy NPPF 1 Presumption in favour of sustainable development
Policy DM2 Development Management

Fylde Borough Local Plan

Policy SP1 Development within Settlements
Policy EMP2 Existing Industrial Areas
Policy EMP4 Buffer Zones and Landscaping on Industrial Estates
Policy EP16 Sites of Special Scientific Interest
Policy EP23 Pollution of Surface Water
Policy EP26 Air Pollution
Policy EP27 Noise Pollution
Policy EP28 Light Pollution
Policy EP30 Development within Floodplains

Consultations

Fylde Borough Council – No objection but request that a noise assessment be carried out in respect of the sorting and screening equipment to ensure nearby residents are not subjected to noise nuisance.

LCC Highways Development Control – No objection. The development should have a negligible impact on highway safety and capacity in the immediate vicinity of the site.

Environment Agency – No objection. The application site lies within Flood Zone 3 in an area benefiting from defences. A Flood Risk Assessment has not been submitted with the application but the proposal is considered to be of low risk and therefore would not be of an unacceptable flood risk. This proposed development has an existing bespoke environmental permit authorising waste management activities with an annual throughput of 50,000 tonnes. The application suggests that annual quantities will increase and therefore a variation to the existing environmental permit to consider additional tonnages would be required for approval. As the site is

adjacent to a designated Main River, the applicant should be aware of '*Environmental Permitting – Flood Risk Activities*'. As of 6 April 2016, the Flood Defence Consent regime has moved into the Environmental Permitting Regulations. The watercourse, Main Drain, adjacent to the site is designated a Main River and the developer may need an Environmental Permit. The Environment Agency has a right of entry to Main Drain by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act.

LCC Specialist Advisor (Ecology) – No observations received.

Natural England – No objection. EN are satisfied that the proposed development will not damage or destroy the interest features for which Lytham Coastal Changes SSSI has been notified.

Representations – The application has been advertised by press and site notice and local residents informed by individual letter. Two objections have been received from local residents commenting that the existing site creates noise and vibration disturbance to nearby residential properties.

Advice

Retrospective planning permission is sought for the erection of a detached office building, and an open sided extension to the existing waste transfer building so as to cover a conveyor belt and partially cover three outside open storage bays.

The office building enables the administrative duties associated with the skip and waste transfer operations to be undertaken in a separate building from the adjacent waste transfer building where as much enclosed space as possible is required for the sorting of waste materials. The open sided extension to the existing waste transfer building provides cover to a conveyor belt sorting line that is at the end of a trommel screening system (the drum is contained within the transfer building), and also covers two outside open storage bays into which materials sorted from the conveyor belt are deposited. The principle issues concern the visual impact and the potential of the development to cause nuisance or disturbance to more sensitive land-uses.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In considering the issues that arise from the proposed development, it is necessary to take into consideration the relevant policies of the Development Plan and the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision making process.

The Development Plan for the site is made up of the Joint Lancashire Minerals and Waste Development Framework Core Strategy, the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies, and the Fylde Borough Local Plan (FBLP).

National Planning Policy encourages recycling and the re-use of waste to reduce reliance on land filling.

The NPPF seeks to ensure that the planning system supports and secures sustainable economic growth in order to create jobs and prosperity. Policy CS7 of the Lancashire Minerals and Waste Local Plan -Core Strategy seeks to manage our waste as a resource, while Policy CS8 seeks to ensure an adequate provision of suitable waste facilities across the county to ensure that waste can be managed as a resource. The proposal provides better facilities on an existing waste management site for the collection and recycling of inert and non-hazardous household, commercial and industrial waste materials and complies with the principle of National Planning Policy and with Policies CS7 and CS8 of the Core Strategy in terms of waste management strategy.

The site is located within Lidun Park Industrial Estate that is subject to Policy EMP2 of the Fylde Borough Local Plan. Where industrial estates are located adjacent to residential areas, open countryside or other sensitive locations, Policy EMP4 of the Fylde Borough Local Plan seeks to protect the amenities of such areas through the use of effective buffer / landscaping zones such as landscaping on the relevant boundaries and not permitting industrial development within a minimum distance of 30 metres from any existing dwelling.

The site already benefits from planning permission for the management of waste. The buildings and storage bays are ancillary to that use and are therefore acceptable in principle. Neither of the structures are large and are of a design and size appropriate for their purpose. They cannot be seen from outside the site and hence the visual impacts are acceptable.

Two letters of objection have been received from local residents concerned that the existing waste transfer site creates noise and vibration disturbance to nearby residential properties. Fylde Borough Council have not objected but request that a noise assessment be carried out in respect of the sorting and screening equipment to ensure nearby residents are not subjected to noise nuisance.

Notwithstanding, the comments of the Borough Council, it must be recognised that the application is only for the building structures, the conveyor and storage bays. The trommel screen used for the sorting of waste is internal to the building and was constructed when the waste transfer use was originally developed and is therefore outside the scope of this application. The buildings the subject of this application are only required to provide additional office space or to improve operational conditions and would not by themselves increase noise levels. Similarly, the conveyor does not give rise to significant levels of noise. It is therefore considered that there can be no objection to this application on the grounds of noise impact.

However, in response to the Borough Council's comments and the issues raised by local residents, the applicant has undertaken a noise assessment with the noise levels recorded at the railway line, as this is the point nearest to the houses on Cheviot Avenue. There are no conditions on the existing permission that contain specific limitations on noise levels and the only planning control relating to noise is a

general requirement that all plant be appropriately silenced. The results of the applicant's noise survey will be reported on the update sheet.

LCC Highways Development Control have no objection and are satisfied that the development should have a negligible impact on highway safety and capacity in the immediate vicinity of the site. An advice note is to be included in relation to the Environment Agency's comments.

The existing permission 05/08/0326 for the waste transfer and sorting operations contains a number of conditions relating to hours of operation, noise, dust and litter, and site operations. These conditions would adequately control the use of any sorting equipment and buildings which are the subject of this application and hence there is no need to duplicate them. The development is therefore considered acceptable in terms of residential amenity and complies with Policy CS9 of the Core Strategy DPD, Policy DM2 of the LMWLP, and Policies EMP2, EMP4, EP16, EP23, EP26, EP27, EP28 and EP30 of the Fylde Borough Local Plan.

In view of the scale, location and nature of the proposed development it is considered that no Convention Rights as set out in the Human Rights Act would be affected.

Recommendation

That planning permission be **Granted** subject to the following conditions:

Working Programme

1. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
 - a) The Planning Application received by the County Planning Authority on 1st February 2016.
 - b) Submitted Plans and documents received by the County Planning Authority on 31st May 2016:

Drawing No. 6632/PL/01 - Retention of Existing Office Building & Trommel Extensions - Planning Layout & Details

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policies CS7, CS8 and CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policies NPPF 1 and DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies SP1, EMP2, EMP4, EP16, EP23, EP26, EP27, EP28 and EP30 of the Fylde Borough Local Plan.

Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

As the site is adjacent to a designated Main River, the applicant should be aware of 'Environmental Permitting – Flood Risk Activities'.

As of 6 April 2016, the Flood Defence Consent regime has moved into the Environmental Permitting Regulations.

The watercourse, Main Drain, adjacent to the site is designated a Main River and the developer may need an Environmental Permit. The applicant should contact Flood Risk Officer, Pippa Hodgkins, on 020 302 51397, to discuss the requirements of the Environment Agency if a permit or advice is required.

The Environment Agency has a right of entry to Main Drain by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act.

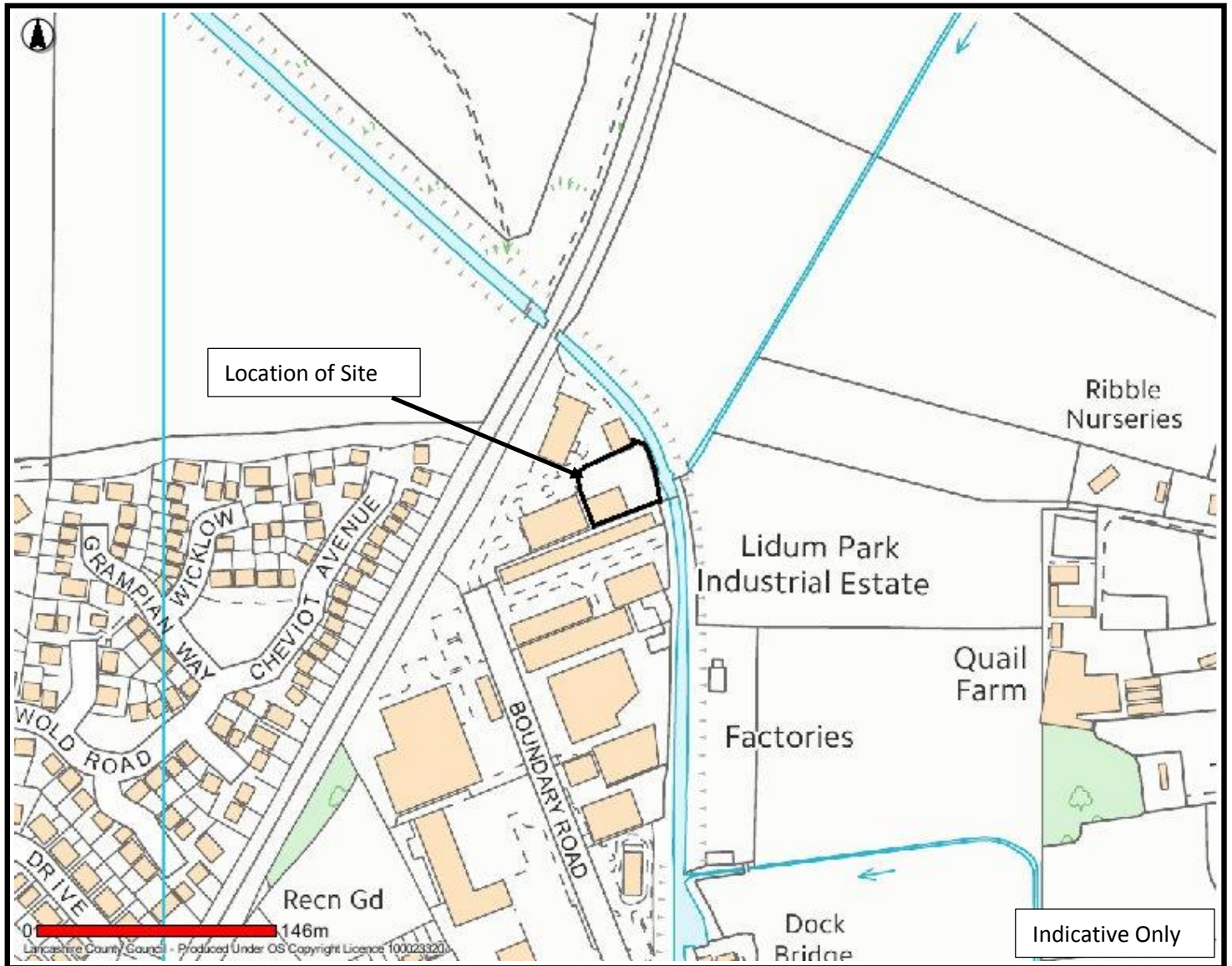
Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2016/0014	01 February 2016	Rob Jones/534128

Reason for Inclusion in Part II, if appropriate

N/A

APPLICATION LCC/2016/0013 RETROSPECTIVE APPLICATION FOR THE RETENSION OF THE SINGLE STOREY OFFICE BUILDING (NORTH EXTENSION) AND THE STORAGE TROMMEL (EAST EXTENSION) LIDUN PARK INDUSTRIAL ESTATE, BOUNDARY ROAD, LYTHAM ST ANNES.



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Development Control Committee

Meeting to be held on 13 July 2016

Electoral Division affected: Lytham
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Fylde Borough: Application No. LCC/2016/0014

Change of use of land and building as an extension to the existing adjacent waste transfer station and for the storage of skips (Retrospective application).

Land at Lidun Park Industrial Estate, Off Boundary Road, Lytham.

(Appendix A refers)

Contact for further information:

Rob Jones, 01772 534128

DevCon@lancashire.gov.uk

Executive Summary

Application - Change of use of land and building as an extension to the existing adjacent waste transfer station and for the storage of skips (Retrospective application). Land at Lidun Park Industrial Estate, Off Boundary Road, Lytham.

Recommendation – Summary

That planning permission be **granted** subject to conditions relating to working programme, hours of operation, building materials, noise, dust and litter, site operations, highway matters and floodlighting.

Background

A report on this application was presented to the meeting of the Development Control Committee on the 25th May 2016. At that meeting it was resolved that consideration of the application be deferred to allow the Committee to visit the site. The report to the 25th May Committee is appended at Appendix A.

Advice

At the 25th May meeting, a presentation was made by a member of the public opposing the application on the grounds that the continued development and operations at the site caused severe detriment to the amenity of residents. A recording of the noise levels emanating from the site, as taken from the speaker's rear garden, was played at the meeting to demonstrate this point. It was maintained that the breaches of the conditions designed to mitigate noise and dust levels contained within previous permissions had failed to safeguard residential amenity.

In response to the issues raised in the resident's presentation, it is important to distinguish between the impacts of the activity proposed in this planning application and complaints about breaches of the existing permission. Many of the issues raised

by the resident relate to activities in the existing waste transfer station or to the applicant's skip storage area closest to the houses, permission for which was granted by the Borough Council. The current application must be determined on its own merits and the complaints raised by the resident investigated as separate matters.

Whilst the activities proposed will inevitably generate some noise issues, the applicant proposes to undertake all waste sorting operations within the building which should adequately contain noise. It should be recognised that this site is located on an existing industrial estate where some noise, including from HGV's should reasonably be expected. With the conditions that are appended to this report, it is considered that the noise impacts of the proposal would be acceptable. An additional condition is recommended relating to reversing alarms for mobile plant.

Further information was submitted by the applicant following preparation of the report to the 25th May 2016 committee. This information was reported on the update sheet and primarily related to the wording of conditions 6 and 8 in terms of the use of an area at the front of the building for skip storage and the heights of the external storage bays.

In terms of Condition 6, the use of 5m, instead of 3.6m high retaining walls for outside storage would be acceptable in the proposed location along the eastern boundary of the site. It is considered that Condition 6 should be amended as follows:-

6. The areas for the external storage of sorted materials shall be laid out according to drawing 6632/PL/03 Rev A. The height of the retaining walls shall not exceed 5 metres.

Stockpiles of sorted materials within the bays shall not exceed 5 metres. The bays used for the storage of plastics and mixed wastes shall incorporate netting or other measures to prevent stored materials from leaving the site.

Condition 8: The applicant's comments regarding his use of the area at the front of the building for storage of empty skips are noted. The area concerned is small and could only accommodate a small number of skips. It is therefore considered that the wording of the condition should be amended to allow the storage of empty skips in this area.

8. No skips containing waste materials shall be stored on the ground in the area between the front (west facing) elevation of the building and Boundary Road as shown on the submitted Drawing NO. 6632/PL/02 – Change of use to existing building – Planning Layout and details.

In terms of the complaints about the existing site, the following information is provided:-

Complaints were first received by LCC in March 2015 that the applicant was operating outside of their permitted hours of operation, as stipulated by permission 05/08/0326, by starting at 7am instead of the permitted 8am, and working on Sundays when they are not permitted to do so. It was also reported that land adjacent to the railway line was being used by the applicant for the storage of skips.

Subsequently, a number of 'out of hours' site visits have been undertaken to ascertain any breach of planning permission 05/08/0326. The observations are as follows:

Sunday 14th June 2015 09:50 – 10:00: No activity.

Monday 15th June 2015 07:30 – 08:00: No activity. Site gates opened at 8:00am to workers/staff.

Thursday 01st October 2015: At 07:15, some of the skips stored on the land adjacent to the railway line were moved. As noted above, the planning permission for this activity was granted by Fylde Borough Council. The permission includes a condition restricting the movement of skips to between the hours of 0800 to 1800 on weekdays, and 0800 and 1300 hours on Saturdays, with no movement of skips at all on Sundays, Bank and Public Holidays.

Between 07:30-08:00 the empty skips by the railway line were being loaded onto the back of HGV's. No waste transfer or sorting operations were taking place in the permitted waste transfer site.

The complainant was advised as to the observations of the above site visit at the time, and that it had been brought to the attention of Fylde BC. In response to the subsequent complaint investigation by the Borough Council, the operator stated that he was aware of the issue and has changed working practices by loading empty skips stored within the yard area of the waste transfer station onto the back of HGV's either at the end of the working day or in the morning. The HGV's then drive out of the yard area to deliver skips to customers.

Saturday 11th June 2016 07:40 – 08:00: – Site gates were open but no activity could be seen within the building and no noise was being created.

Monday 20th June 2016 07:10 – 08:00: The site was viewed from within the industrial estate. Empty skips stored within the yard area of the waste transfer station were loaded onto the back of HGV's which were then driven out of the site. This activity is not considered to be a waste transfer or sorting operation and is therefore permitted under the existing permission. The skip storage area next to the railway line was not being used in any way.

The doors of the waste transfer building were open but no waste transfer or sorting operations were taking place either within the building or yard area. The only noise that was created was from HGV's leaving the site.

In relation to noise, there are no conditions on the existing permission that restrict noise to a specific level other than a requirement that all plant be appropriately silenced or attenuated. As a result of the visits that have been made to the site, it is considered that the planning conditions relating to the existing site in relation to noise impacts and hours of operation are not being breached.

In conclusion, providing that conditions are imposed regarding hours of working, noise, dust, litter, control of external storage activities, control of waste sorting activities, sheeting of vehicles and floodlighting, the development is considered acceptable in terms of residential amenity and complies with the policies of the Development Plan.

Recommendation

That planning permission be **Granted** subject to the following conditions:

Working Programme

1. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
 - a) The Planning Application received by the County Planning Authority on 1st February 2016.
 - b) Submitted Plans and documents received by the County Planning Authority on 1st February 2016:

Drawing No. 6632/PL/02 - Change of Use to Existing Building - Planning Layout & Details

Drawing No. 6632/PL/03 Rev A - Layout of concrete block storage areas from stockpiles to be removed off site.
 - c) All schemes and programmes approved in accordance with this permission.

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policies CS7, CS8 and CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policies NPPF 1, DM2 and WM1 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies SP1, EMP2, EMP4, EP16, EP23, EP26, EP27, EP28 and EP30 of the Fylde Borough Local Plan.

Hours of Working

2. No waste transfer or sorting operations shall take place outside the hours of:

0800 to 1800 hours, Mondays to Saturdays except public holidays.

No waste transfer or sorting operations shall take place on Sundays or public holidays.

The above hours of operation shall not apply to the movement of HGV's leaving the site with empty skips which shall be able to undertake such

movements from 07.00 Mondays to Saturdays. No such movements shall take place on Sundays or public holidays.

This condition shall not however operate so as to prevent the carrying out outside these hours of essential repairs to plant and equipment used on the site.

Reason: To safeguard the amenity of local residents and adjacent properties, landowners and land-users, and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP26, EP27 and EP28 of the Fylde Borough Local Plan.

Control of Noise

3. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy EP27 of the Fylde Borough Local Plan.

4. Within two months of the date of this permission, a scheme and programme detailing the types of reversing alarms to be fitted to mobile plant and machinery used on the site shall be submitted to the County Planning Authority for approval in writing.

The approved reversing alarms shall be fitted to all mobile plant used on the site within two months of the date of approval of the scheme and programme and shall remain fitted to plant and operational at all times thereafter.

Reason: In the interests of local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Dust and Litter

5. Measures shall be taken at all times during the development to ensure that no dust or wind-blown material from the site is carried on to adjacent property and which shall include the watering of dust generative stockpiles and vehicle circulation areas during dry weather conditions.

Reason: To safeguard the amenity of local residents and adjacent properties, landowners and land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy EP26 of the Fylde Borough Local Plan.

6. All skips within the site containing light materials such as paper or plastics shall be netted at all times to ensure that there is no release of litter outside of the site.

Reason: In the interests of local amenity and to protect the adjacent Lytham Coastal Changes Site of Special Scientific Interest and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP16, EP23 and EP26 of the Fylde Borough Local Plan.

Site Operations

7. The areas for the external storage of sorted materials shall be laid out according to drawing 6632/PL/03 Rev A. The height of the retaining walls shall not exceed 5 metres.

Stockpiles of sorted materials within the bays shall not exceed 5 metres. The bays used for the storage of plastics and mixed wastes shall incorporate netting or other measures to prevent stored materials from leaving the site.

Reason: In the interests of local amenity and to protect the adjacent Lytham Coastal Changes Site of Special Scientific Interest and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP16, EP23, EP26 and EP30 of the Fylde Borough Local Plan.

8. No sorting of waste materials shall be carried out other than within the waste transfer building shown on the submitted Drawing No. 6632/PL/02 - Change of Use to Existing Building - Planning Layout & Details.

Reason: To protect the amenities of surrounding land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP26 and EP27 of the Fylde Borough Local Plan.

9. No skips containing waste materials shall be stored on the ground in the area between the front (west facing) elevation of the building and Boundary Road

as shown on the submitted Drawing NO. 6632/PL/02 – Change of use to existing building – Planning Layout and details.

Reason: To protect the amenities of surrounding land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP26 and EP27 of the Fylde Borough Local Plan.

10. All pre-sorted waste stored outside of the building shall be contained within skips.

Reason: To safeguard the amenity of adjacent properties, landowners and land-users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, and Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One.

11. Empty skips shall not be stored to a height exceeding 4 metres.

Reason: To safeguard the amenity of adjacent properties, landowners and land-users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, and Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One.

Highway Matters

12. All vehicles transporting materials from the site shall be securely sheeted.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, and Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One.

Floodlighting

13. Any flood lighting to be used during the operational life of the site shall be angled into the site, downwards, shaded to minimise light spill and only illuminated during the working hours specified in condition 2.

Reason: To minimise light spill beyond the boundaries of the compound and to safeguard the amenity of the area and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan -

Site Allocation and Development Management Policies - Part One, and Policy EP28 of the Fylde Borough Local Plan.

Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

The watercourse adjoining the site is designated a 'Main River' and is therefore subject to Land Drainage Byelaws. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without prior written consent of the Environment Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Environment Agency for consideration.

The Environment Agency has a right of entry to Main Drain by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act. The developer must contact Pippa Hodgkins on 02030 251397 to discuss access requirements.

**Local Government (Access to Information) Act 1985
List of Background Papers**

Paper	Date	Contact/Directorate/Ext
LCC/2016/0014	01 February 2016	Rob Jones/534128

Reason for Inclusion in Part II, if appropriate

N/A

Development Control Committee
Meeting to be held on 25th May 2016

Electoral Division affected: Lytham
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Fylde Borough: Application number LCC/2016/0014
Change of use of land and building as an extension to the existing adjacent waste transfer station and for the storage of skips (Retrospective application). Land at Lidun Park Industrial Estate, off Boundary Road, Lytham.

Contact for further information:
Rob Jones, 01772 534128
DevCon@lancashire.gov.uk

Executive Summary

Application - Retrospective change of use of land and building as an extension to the existing adjacent waste transfer station and for the storage of skips (Retrospective application). Land at Lidun Park Industrial Estate, off Boundary Road, Lytham.

Recommendation – Summary

That planning permission be **granted** subject to conditions relating to working programme, hours of operation, building materials, noise, dust and litter, site operations, highway matters and floodlighting.

Applicant's Proposal

The proposal is for the retrospective change of use of a vacant piece of land and industrial building for the recycling and transfer of inert and non-hazardous household, commercial and industrial waste.

Waste materials are currently delivered to the adjacent waste transfer station, sorted within the building by a combination of machinery and by hand, and then stored outside in designated skips and on the ground in the yard areas of both the existing site and the site the subject of this application, before removal from site for reuse or disposal. The intention is that the sorted wastes will be stockpiled and stored outside within moveable bays to be constructed from concrete 'lego' type blocks that can be covered to enclose any windblown material. The building is used for the storage of plant and equipment, and potentially for additional indoor space for the sorting of waste.

The operating hours are 0730 to 1700 hours Monday to Saturday, and closed on Sundays and public/bank holidays.

Description and Location of Site

The site is located on the northern edge of the Lidun Park Industrial Estate on the edge of Lytham approximately 2km north-east from the town centre. Access to the industrial estate is from Boundary Road that leads on to the A584 Lytham Road. The site is a flat and triangular shaped piece of land 0.2 hectares in area. It consists of a building measuring 26 metres by 16 metres on the west side of the site located by 2m high metal palisade access gates, a small area between the front of the building and Boundary Road that is used for the storage of skips, and a hard surfaced yard area on the east side of the site used for the outside storage of sorted waste and skips.

The site is bordered to the east by a tidal watercourse known as the Main Drain that forms part of the Lytham Coastal Changes Site of Special Scientific Interest (SSSI) beyond which are flat and open fields in agricultural use. To the west is an existing unit within the industrial estate, and to the south is the existing permitted waste transfer station and other industrial units. The site lies within Flood Zone 3.

The nearest residential dwellings are on Cheviot Avenue. The rear boundaries of the houses back onto a railway line that separates them from the industrial estate. The closest property is approximately 45m to the west of the application site.

Background

History

There is no relevant planning history for the application site but it was previously used by an engineering company prior to becoming vacant.

Land adjacent to the site is subject to the following permissions which are relevant to the current application.

Planning permission for the change of use of vacant land to a Waste Transfer Station and the erection of an associated industrial building, was granted on 22 May 2008 (ref. 05/08/0326).

Planning permission for the change of use of land for the storage of empty skips was granted on 07 May 2015 (ref. 15/0152) by Fylde Borough Council. The permission is temporary for a period of five years and relates to land adjacent to the railway line to the west of the application site.

A retrospective planning application on the existing waste transfer station for the retention of a trommel and two extensions to the existing waste transfer building; one for use as an office building and one as an open sided structure to cover sorting and screening equipment (ref. LCC/2016/0013), has not yet been determined as further information is required to be submitted.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17 - 19, 56 – 66, 103 – 104, 109, 111, 122, 123 and 125 are relevant with regard to the requirement for sustainable development, core planning principles, building a strong competitive economy, the requirement for good design, flood risk, conserving and enhancing the natural environment, use of brownfield land, permitting regimes operated by pollution control authorities, noise and light pollution.

National Planning Policy for Waste

National Planning Practice Guidance

Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD

Policy CS7 Managing Waste as a resource
Policy CS8 Identifying Capacity for managing our waste
Policy CS9 Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One (LMWLP)

Policy NPPF 1 Presumption in favour of sustainable development
Policy DM2 Development Management
Policy WM1 Capacity of Waste Management Facilities
Policy WM3 Local Built Waste Management Facilities

Fylde Borough Local Plan

Policy SP1 Development within Settlements
Policy EMP2 Existing Industrial Areas
Policy EMP4 Buffer Zones and Landscaping on Industrial Estates
Policy EP16 Sites of Special Scientific Interest
Policy EP23 Pollution of Surface Water
Policy EP26 Air Pollution
Policy EP27 Noise Pollution
Policy EP28 Light Pollution
Policy EP30 Development within Floodplains

Consultations

Fylde Borough Council – No objection but request that screen landscaping be provided to the northern boundaries of the site to mitigate the visual impact of stored skips when viewed from passing rail traffic and from across the wider adjoining countryside.

LCC Highways Development Control – No objection. The development should have a negligible impact on highway safety and capacity in the immediate vicinity of the site.

Environment Agency – No objection. The application site lies within Flood Zone 3 in an area benefiting from defences. A Flood Risk Assessment has not been submitted with the application but the proposal is considered to be of low risk and therefore would not create unacceptable flood risk. The site is bordered by a watercourse

'Main Drain' which is classed as a Main River and any work carried out within our easement of Main Drain will require Flood Defence Consent. This development requires an environmental permit if the applicant intends to carry out waste management activities as suggested.

LCC Specialist Advisor (Ecology) – No observations received.

Natural England – No objection. NE are satisfied that the proposed development will not damage or destroy the interest features for which Lytham Coastal Changes SSSI has been notified.

Representations – The application has been advertised by press and site notice and local residents informed by individual letter. Two letters of objection have been received from local residents commenting that the extended site would create noise and vibration disturbance to nearby residential properties in addition to such problems already arising from the existing permitted waste transfer station. To mitigate against the noise and vibration, it is suggested that an acoustic barrier mound be erected on the industrial estate side of the railway line, and the skip storage area (the subject of permission ref. 15/0152) be relocated to another part of the site and as far from the houses as is possible. Similarly, the area where the waste is dumped and where the mechanical digger operates should be moved away from the housing area. Fylde Borough Council is investigating an alleged breach of operating hours and the lack of the provision of a planted tree scheme associated with permission ref. 15/0152.

Advice

Retrospective planning permission is sought for the change of use of a 0.2 hectare area of land including a building for use as an extension to an existing permitted waste transfer station and for the storage of skips. The applicant operates a skip hire company and waste transfer station on an adjacent unit and has purchased the application site to enable an expansion of the skip hire and waste transfer business which currently employs 20 people. The principle issues concern the acceptability of the site to be used for this purpose, the potential to cause nuisance or disturbance to local residents and highway safety.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In considering the issues that arise from the proposed development, it is necessary to take into consideration the relevant policies of the Development Plan and the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision making process.

The Development Plan for the site is made up of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, the Joint Lancashire Minerals and Waste Core Strategy and Local Plan – Site Allocation and Development Management Policies – Part One (LMWLP), and the Fylde Borough Local Plan (FBLP).

National Planning Policy encourages recycling and the re-use of waste to reduce reliance on land filling.

The NPPF seeks to ensure that the planning system supports and secures sustainable economic growth in order to create jobs and prosperity. Policy CS7 of the Core Strategy DPD seeks to manage our waste as a resource, while Policy CS8 of the Core Strategy DPD seeks to ensure an adequate provision of suitable waste facilities across the county to ensure that waste can be managed as a resource. The proposal would provide increased facilities for the collection and recycling of inert and non-hazardous household, commercial and industrial waste materials and complies with the principle of National Planning Policy and with Policies CS7 and CS8 of the Core Strategy DPD in terms of waste management strategy.

The site is located within Lidun Park Industrial Estate. Policy WM3 of the Lancashire Minerals and Waste Local Plan supports local waste management facilities firstly on the strategic sites listed in Policy WM2 and the local sites as listed in Policy WM3, and then other vacant previously developed land. The site is an existing established industrial estate and therefore the proposal conforms to the general locational criteria in Policy WM3. The site is subject to Policy EMP2 of the Fylde Borough Local Plan. Where industrial estates are located adjacent to residential areas, open countryside or other sensitive locations, Policy EMP4 of the Fylde Borough Local Plan seeks to protect the amenities of such areas through the use of effective buffer / landscaping zones on the relevant boundaries and not permitting industrial development within a minimum distance of 30 metres from any existing dwelling.

Fylde Borough Council have not objected but advise that screen landscaping be provided to the northern boundaries of the site to mitigate the visual impact of stored skips when viewed from the railway and from across the wider adjoining countryside. However, it is considered that such landscaping would not be possible because it would result in the loss of land within the site to the detriment of operational area. It would also not be possible to undertake planting outside the boundary as the applicant does not own this land and the Environment Agency does not normally consent to planting within their easement of 8m of the top of the Main Drain. An advice note is to be included in relation to the Environment Agency's comments.

Two letters of objection have been received from local residents concerned that the extended site would create noise and vibration disturbance to nearby residential properties, in addition to such problems already arising from the existing permitted waste transfer station, and the skip storage area granted by Fylde Borough Council on land adjacent to the railway line.

The nearest residential dwellings are to the west on Cheviot Avenue. The rear boundaries of the houses back onto a railway line that separates them from the industrial estate. The closest property boundary is approximately 45m from the building and adjacent small area used for the storage of skips, and 60m from the hard surfaced yard area to be used for the outside storage of sorted waste, although other houses in the locale increase in distance from the application site due to the route of the railway line. The building on the site screens the yard area to a significant degree from the houses on Cheviot Avenue and therefore it is considered that activities such as the storage of skips and recycled waste materials could take place at the rear of the building furthest from the houses without causing harm to the amenities of local residents. The location and design of the outside storage of sorted waste and skips should be the subject of a planning condition.

The existing permission 05/08/0326 for the waste transfer operations contains a number of conditions relating to hours of operation, noise, dust and litter, and site operations.

In relation to hours of operation, it is proposed that the extended site be open 0730 to 1700 hours Monday to Saturday, and closed on Sundays and public/bank holidays. However, to ensure consistency and to accord with the existing waste transfer site, the hours of operation should be restricted to 0800 to 1800 hours Monday to Saturday, and closed on Sundays and public/bank holidays. A condition should require that all plant, equipment and other machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment.

The applicant proposes all sorted wastes (inert, wood, scrap metal and plastic) to be stockpiled outside in the yard area along the eastern boundary of the site adjacent to the Main Drain within moveable bays to be constructed of concrete 'lego' type blocks that can be covered to enclose any windblown material. The principle of the storage of sorted waste within moveable bays is considered acceptable. In the location along the eastern boundary, the use of the concrete blocks would provide some visual screening as requested by the Borough Council, and also prevent waste from falling outside of the site into the watercourse. The applicant has submitted a plan showing the design of the storage bays and this is considered acceptable subject to control over stockpile heights and sheeting to prevent windblown material.

Provided that conditions are imposed regarding hours of working, noise, dust, litter, floodlighting, control of external storage activities, and a restriction on the height of stored skips, the development is considered acceptable in terms of residential amenity and complies with Policy CS9 of the Core Strategy DPD, Policy DM2 of the LMWLP, and Policies EMP2, EMP4, EP16, EP23, EP26, EP27, EP28 and EP30 of the Fylde Borough Local Plan.

The site is easily accessed from the A584 Lytham Road via Boundary Road. No details have been provided as to the number of HGV's visiting the site each day. However, LCC Highways Development Control have no objection and are satisfied that the development should have a negligible impact on highway safety and capacity in the immediate vicinity of the site. A condition should be included to require that all vehicles transporting materials from the site shall be securely sheeted.

In view of the scale, location and nature of the proposed development it is considered that no Convention Rights as set out in the Human Rights Act would be affected.

Recommendation

That planning permission be **Granted** subject to the following conditions:

Working Programme

1. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:

a) The Planning Application received by the County Planning Authority on 1st February 2016.

b) Submitted Plans and documents received by the County Planning Authority on 1st February 2016:

Drawing No. 6632/PL/02 - Change of Use to Existing Building - Planning Layout & Details

Drawing No. 6632/PL/03 Rev A - Layout of concrete block storage areas from stockpiles to be removed off site.

c) All schemes and programmes approved in accordance with this permission.

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policies CS7, CS8 and CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policies NPPF 1, DM2 and WM1 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies SP1, EMP2, EMP4, EP16, EP23, EP26, EP27, EP28 and EP30 of the Fylde Borough Local Plan.

Hours of Working

2. No waste transfer or sorting operations shall take place outside the hours of:

0800 to 1800 hours, Mondays to Saturdays except public holidays.

No waste transfer or sorting operations shall take place on Sundays or public holidays.

This condition shall not however operate so as to prevent the carrying out outside these hours of essential repairs to plant and equipment used on the site.

Reason: To safeguard the amenity of local residents and adjacent properties, landowners and land-users, and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP26, EP27 and EP28 of the Fylde Borough Local Plan.

Control of Noise

3. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy EP27 of the Fylde Borough Local Plan.

Dust and Litter

4. Measures shall be taken at all times during the development to ensure that no dust or wind blown material from the site is carried on to adjacent property and which shall include the watering of dust generative stockpiles and vehicle circulation areas during dry weather conditions.

Reason: To safeguard the amenity of local residents and adjacent properties, landowners and land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy EP26 of the Fylde Borough Local Plan.

5. All skips within the site containing light materials such as paper or plastics shall be netted at all times to ensure that there is no release of litter outside of the site.

Reason: In the interests of local amenity and to protect the adjacent Lytham Coastal Changes Site of Special Scientific Interest and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP16, EP23 and EP26 of the Fylde Borough Local Plan.

Site Operations

6. The areas for the external storage of sorted materials shall be laid out and constructed according to the dimensions shown on drawing 6632/PL/03 Rev A. Stockpiles of sorted materials within the bays shall not exceed 3.5 metres in height. The bays used for the storage of plastics and mixed wastes shall incorporate netting or other measures to prevent materials from leaving the site.

No sorted waste materials shall be stored other than within the bays shown on drawing 6632/PL/03 Rev A.

Reason: In the interests of local amenity and to protect the adjacent Lytham Coastal Changes Site of Special Scientific Interest and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP16, EP23, EP26 and EP30 of the Fylde Borough Local Plan.

7. No sorting of waste materials shall be carried out other than within the waste transfer building shown on the submitted Drawing No. 6632/PL/02 - Change of Use to Existing Building - Planning Layout & Details.

Reason: To protect the amenities of surrounding land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP26 and EP27 of the Fylde Borough Local Plan.

8. No waste materials or skips shall be stored on the ground in the area between the front (west facing elevation) of the building and Boundary Road as shown on the submitted Drawing No. 6632/PL/02 - Change of Use to Existing Building - Planning Layout & Details.

Reason: To protect the amenities of surrounding land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies EP26 and EP27 of the Fylde Borough Local Plan.

9. All pre-sorted waste stored outside of the building shall be contained within skips.

Reason: To safeguard the amenity of adjacent properties, landowners and land-users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, and Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One.

10. Empty skips shall not be stored to a height exceeding 4 metres.

Reason: To safeguard the amenity of adjacent properties, landowners and land-users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, and Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One.

Highway Matters

11. All vehicles transporting materials from the site shall be securely sheeted.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, and Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One.

Floodlighting

12. Any flood lighting to be used during the operational life of the site shall be angled into the site, downwards, shaded to minimise light spill and only illuminated during the working hours specified in condition 2.

Reason: To minimise light spill beyond the boundaries of the compound and to safeguard the amenity of the area and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy EP28 of the Fylde Borough Local Plan.

Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

The watercourse adjoining the site is designated a `Main River` and is therefore subject to Land Drainage Byelaws. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without prior written consent of the Environment Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Environment Agency for consideration.

The Environment Agency has a right of entry to Main Drain by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act. The developer must contact Pippa Hodgkins on 02030 251397 to discuss our access requirements.

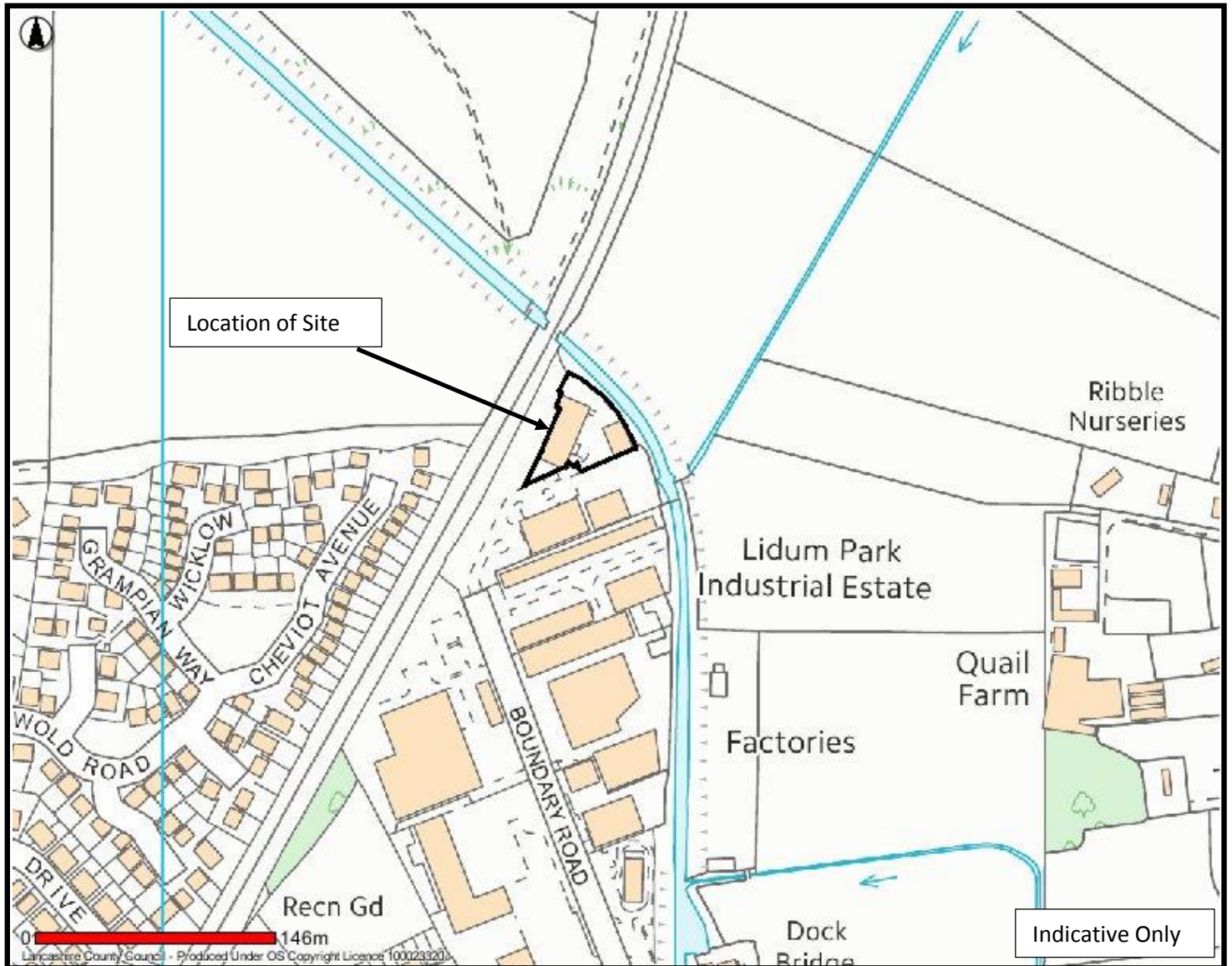
Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2016/0014	01 February 2016	Rob Jones/534128

Reason for Inclusion in Part II, if appropriate

N/A

APPLICATION LCC/2016/0014 CHANGE OF USE OF ADJACENT LAND AND BUILDINGS TO ALLOW THE STORAGE OF SKIPS AND USE AS AN EXTENSION TO THE EXISTING WASTE TRANSFER LIDUN PARK INDUSTRIAL ESTATE, BOUNDARY ROAD, LYTHAM ST ANNES.



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Development Control Committee
Meeting to be held on 13th July 2016

Electoral Division affected: West Lancashire South

West Lancashire Borough: Application Number LCC/2016/0022
Change of use of land and buildings to a waste transfer station and for the storage of skips, the provision of three metal corrugated cabins for use as staff toilets and a kitchen, and 25 car parking spaces. Units 11 - 13 Simonswood Industrial Estate, Stopgate Lane, Simonswood, Kirkby.

Contact for further information:
Rob Jones, 01772 534128
DevCon@lancashire.gov.uk

Executive Summary

Application - Change of use of land and buildings to a waste transfer station and for the storage of skips, and the provision of three metal corrugated cabins for use as staff toilets and a kitchen, and 25 car parking spaces. Units 11 - 13 Simonswood Industrial Estate, Stopgate Lane, Simonswood, Kirkby.

Recommendation – Summary

That planning permission be **granted** subject to conditions relating to time limits, working programme, hours of operation, building materials, noise, site operations, highway matters and floodlighting.

Applicant's Proposal

The application is for the change of use of three industrial units from their existing use as container storage to a use for the recycling and transfer of inert and non-hazardous inert construction, demolition and excavation waste. The application also proposes the provision of three metal corrugated cabins for use as toilets and a kitchen, and the provision of 25 car parking spaces. The application site has an area 0.49 hectares.

Waste materials would be delivered to the site and sorted and stored within the units by a combination of machinery and by hand before removal from site for reuse or disposal. Empty skip containers would be stored outside. The site would handle approximately 40,000 tonnes of waste per year.

The three metal corrugated cabins would each measure 6.6m long by 2.4m wide by 2.6m high, with a blue roof and two windows and a door. The 25 car parking spaces would include 2 disabled spaces.

The proposed operating hours would be 0700 to 1900 hours Monday to Friday, 0730 to 1600 hours on Saturday, and 0800 to 1400 hours on Sundays.

The importation of waste is anticipated to generate a maximum of 11 x 10 tonne HGV movements, or 7 x 15 tonne HGV movements, plus a possible 1 x 20 tonne HGV movement, per day, from the import of waste to the site. Export of residual waste and reclaimed materials would generate similar levels of traffic.

Description and Location of Site

The site is located within Simonswood Industrial Estate to the south of Stopgate Lane approximately 300m from the northern edge of Kirkby. The site has an area of 0.49 hectares. The three Units 11 - 13 at the site are adjoined and located on the west side of the site. The remainder of the site is open with a tarmaced surface. The site is enclosed on all sides by 2.4m high palisade fencing, with vehicle access through gates on the south side of the internal road that runs through the industrial estate. To the north and east are hangar style buildings used for storing timber. Metal shipping containers are stored on land to the east and north-west with the land directly to the west being vacant. The Kirkby to Wigan railway line is separated from the southern boundary of the site by screen planting and a distance of 30m, with agricultural fields beyond.

The open tarmaced area is adjacent to the vehicular access gates to the site. It would be used as a vehicle turning/ manoeuvre area. The three cabins and the car parking spaces would be located around the edge of the turning area.

The nearest residential dwellings are at Woods Farm and Keeper's House approximately 440m and 410m away to the south-west and south of the application site beyond the railway line and at Siding Lane Cottages approximately 410m to the north-west of the site beyond the industrial estate.

Background

The site forms part of a large industrial estate. There is no relevant planning history for the site but the applicant has advised that it was previously used as a storage yard for containers.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17 - 19, 56 – 66, 123 and 125 are relevant with regards to the requirement for sustainable development, core planning principles, building a strong competitive economy, the requirement for good design and noise and light pollution.

National Planning Policy for Waste

Section 7 is relevant in relation to the determination of planning applications.

National Planning Practice Guidance

Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD

Policy CS7 Managing Waste as a resource
Policy CS8 Identifying Capacity for managing our waste
Policy CS9 Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One (LMWLP)

Policy NPPF 1 Presumption in favour of sustainable development
Policy DM2 Development Management
Policy WM1 Capacity of Waste Management Facilities
Policy WM2 Large Scale Built Waste Management Facilities
Policy WM3 Local Built Waste Management Facilities

West Lancashire Local Plan 2012-2027 Development Plan Document (DPD)

Policy GN3 Criteria for Sustainable Development
Policy EC1 The Economy and Employment Land

Consultations

West Lancashire Borough Council – No objection.

Simonswood Parish Council – Object. The operations within the industrial estate do not work within their licence agreement. They work 7 days a week. The industrial estate has become a recycling waste storage site, not a transfer station. The surrounding roads are not suitable for the HGV's using them now. The proposed use would increase the number of HGV's that speed through Stopgate Lane to the Rainford bypass with no respect for the residents that live there.

LCC Highways Development Control – No objection subject to a condition that the vehicle turning/ manoeuvre area be kept clear at all times.

Environment Agency – No objection. This development requires an environmental permit.

Representations – The application has been advertised by press and site notice and local residents informed by individual letter. No representations have been received.

Advice

Planning permission is sought for the change of use of land including three industrial units for use as a waste transfer station and for the storage of skips. The applicant operates his own skip hire company and wishes to maximise the economic opportunities by reclaiming and recycling waste materials. The principle issues concern the acceptability of the site to be used for this purpose, the potential to cause nuisance or disturbance to local residents and highway safety.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In considering the issues that arise from the proposed development, it is necessary to take into consideration the relevant

policies of the Development Plan and the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision making process.

The Development Plan for the site is made up of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One (LMWLP), and the West Lancashire Local Plan 2012-2027 Development Plan Document (DPD).

National Planning Policy encourages recycling and the re-use of waste to reduce reliance on land filling.

The NPPF seeks to ensure that the planning system supports and secures sustainable economic growth in order to create jobs and prosperity. Policy CS7 of the Lancashire Minerals and Waste Core Strategy seeks to manage our waste as a resource, while Policy CS8 seeks to ensure an adequate provision of suitable waste facilities across the county to ensure that waste can be managed as a resource. The proposal would provide facilities for the collection and recycling of inert and non-hazardous inert construction, demolition and excavation waste materials and complies with the principle of National Planning Policy and with Policies CS7 and CS8 of the Core Strategy in terms of waste management strategy.

The site is located within Simonswood Industrial Estate. Policy WM3 of the Joint Lancashire Minerals and Waste Local Plan supports local waste management facilities of a capacity of around 50,000 tonnes per year, firstly on the strategic sites listed in Policy WM2 and the local sites as listed in Policy WM3, and then other vacant previously developed land. Simonswood Industrial Estate is one of the strategic sites listed in Policy WM2. The proposal therefore conforms to the general locational criteria in Policies WM2 and WM3 of the LMWLP.

Simonswood Industrial Estate is subject to Policy EC1 of the West Lancashire Local Plan. This policy supports a mix of industrial, business, and storage and distribution uses within the allocated area. The proposed use would have an industrial character and hence conforms with Policy EC1. It should be noted that a number of other units located on the Simonswood Industrial Estate are also used for waste transfer uses and therefore the use of the application site for the proposed use would not be particularly different from those found on other nearby units. However, the impacts of the proposed use have to be assessed and found to be acceptable to fully comply with the policy.

The waste materials delivered to the site would be sorted and stored within the buildings by a combination of machinery and by hand, before removal from site for reuse or disposal. This would contain dust and the noise from the sorting machinery. Given the distance to the nearest residential dwellings and that all sorting and storage operations would be undertaken within the units, it is considered that the development would not have an unacceptable adverse impact on the amenities of the surrounding area and residents. To ensure this, conditions are proposed regarding hours of working, noise, control of external storage activities and floodlighting.

The applicant has requested permission to operate on Saturday afternoons and Sunday mornings. The site is relatively small and given its location at some distance from residential properties in the centre of an industrial estate, such hours of operation are considered acceptable.

The site is easily accessed from the southside of Stopgate Lane via the internal road that runs through the industrial estate. Details as to the number and type of HGV's expected to be associated with the use have been provided. Simonswood Parish Council have objected that the operations within the industrial estate do not work within their licence agreements, that the surrounding roads are not suitable for the HGV's using them now and that traffic from the use would increase the number of HGV's that speed through Stopgate Lane to the Rainford bypass with little consideration for residents.

The application site has a long history of previous industrial and storage and distribution uses and the levels of traffic arising from the proposed development would not be significantly different. In response to the Parish Council's concerns, the applicant has advised that they will not use this route because any HGV's associated with the proposed development would access the site in a westerly direction (to Liverpool, Kirby, Crosby, Maghull) at all times. In any case, there is a weight restriction that begins just to the east of the entrance to the industrial estate from Stopgate Lane which prevents any vehicle over 7.5 tonnes from traveling along the stretch of road referred to by Simonswood Parish Council. Any enforcement of the weight restriction would be the responsibility of the police. LCC Highways Development Control have no objection and are satisfied that the development should have a negligible impact on highway safety and capacity in the immediate vicinity of the site. In line with their suggestion, a condition should require that the vehicle turning/ manoeuvre area be kept clear at all times. A condition should also be included to require that all vehicles transporting materials from the site shall be securely sheeted.

With the conditions referred to above, the development complies with Policy CS9 of the Core Strategy, Policy DM2 of the LMWLP, and Policies GN3 and EC1 of the West Lancashire Local Plan. A note should also be attached at any permission to advise that the applicant is required to apply for an Environmental Permit for the proposed development from the Environment Agency under the Environmental Permitting Regulations 2010 (England and Wales).

In view of the scale, location and nature of the proposed development, it is considered that no Convention Rights as set out in the Human Rights Act would be affected.

Recommendation

That planning permission be **Granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:

a) The Planning Application received by the County Planning Authority on 15th March 2016, and the emails received from the applicant on the 25th April 2016 and 12th May 2016.

b) Submitted Plans and documents received by the County Planning Authority on 15th March 2016:

Drawing No. 02 - Existing Elevations
Drawing No. 03 - Proposed Ground Floor
Drawing No. 04 - Proposed Elevations
Drawing No. 06 - Proposed Cabins Plan View

Submitted Plans and documents received by the County Planning Authority on 14th April 2016:

Drawing No. 03 - Existing Ground Floor

Submitted Plans and documents received by the County Planning Authority on 24th May 2016:

Drawing No. 05 - Proposed Block Plan

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policies CS7, CS8 and CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policies NPPF 1, DM2, WM1, WM2 and WM3 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies GN3 and EC1 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Hours of Working

3. The site shall not be open for the receipt of waste or for the removal of waste / recyclable material, and no waste transfer or sorting operations shall take place, outside the hours of:-

0700 to 1900 hours, Mondays to Fridays

0730 to 1600 hours, Saturdays
0800 to 1400 hours, Sundays

This condition shall not however operate so as to prevent the carrying out outside these hours of essential repairs to plant and equipment used on the site.

Reason: To safeguard the amenity of the local area, and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies GN3 and EC1 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Control of Noise

4. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

Reason: To safeguard the amenity of the local area and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies GN3 and EC1 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Site Operations

5. There shall be no sorting and storage of waste other than within the buildings.

Reason: To safeguard the amenity of the local area and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies GN3 and EC1 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Highway Matters

6. The vehicle turning/ manoeuvring area as shown on the approved Drawing No. 05 - Proposed Block Plan shall be kept clear of obstruction at all times to allow HGV's to turn within the site.

Reason: In the interests of highway safety and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and

Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

7. All vehicles transporting materials from the site shall be securely sheeted.

Reason: In the interests of highway safety and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Floodlighting

8. Any flood lighting to be used during the operational life of the site shall be angled into the site, downwards, shaded to minimise light spill and only illuminated during the working hours specified in condition 3.

Reason: To minimise light spill beyond the boundaries of the compound and to safeguard the amenity of the area and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

Local Government (Access to Information) Act 1985 List of Background Papers

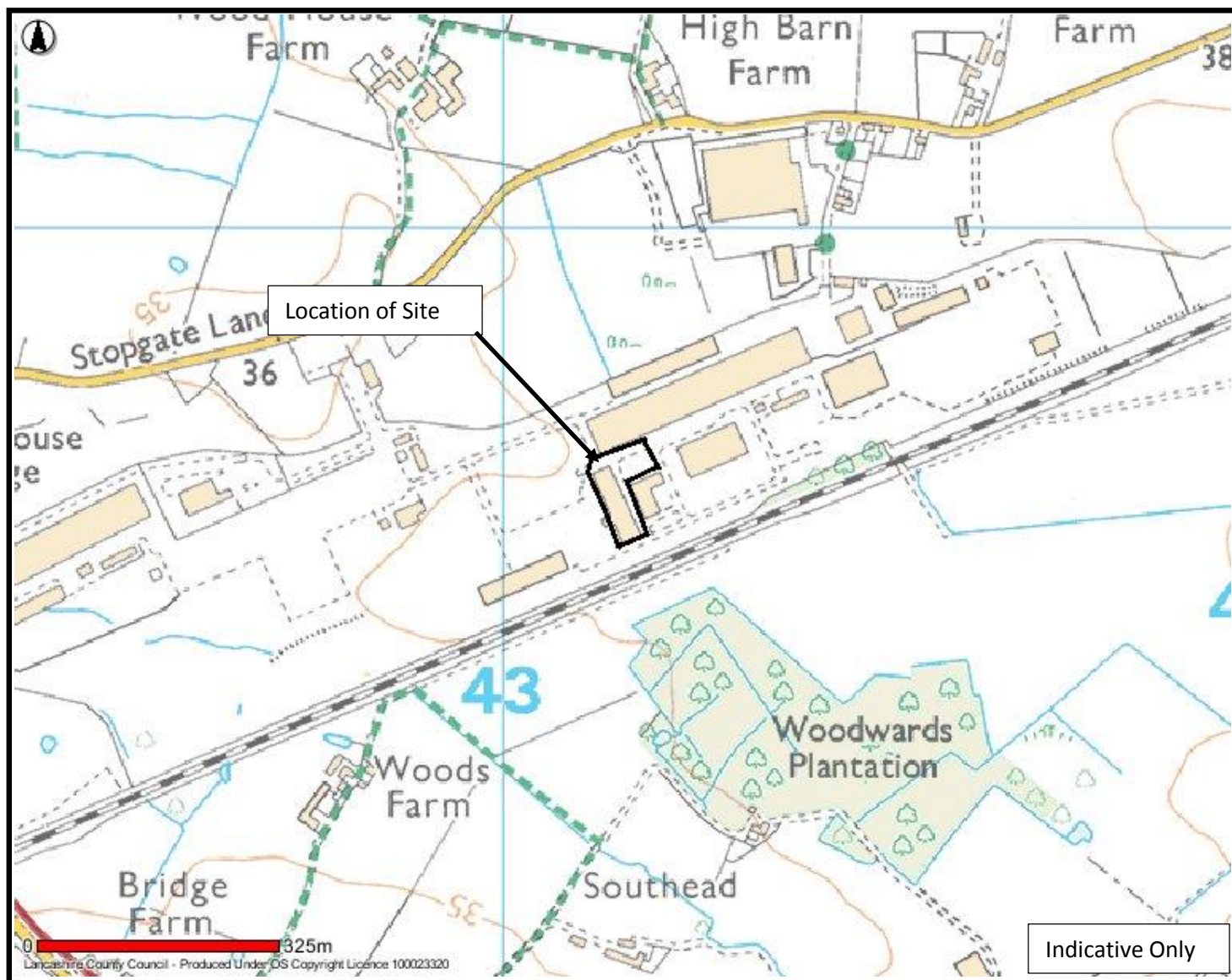
Paper	Date	Contact/Directorate/Ext
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LCC/2016/0022	15 March 2016	Rob Jones/534128
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Reason for Inclusion in Part II, if appropriate

N/A

APPLICATION LCC/2016/0022 CHANGE OF USE FROM VACANT INDUSTRIAL UNITS TO WASTE SEPARATION AND RECYCLING UNITS. UNITS 11, 12 AND 13 SIMONSWOOD INDUSTRIAL PARK, STOPGATE LANE, SIMONSWOOD



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Development Control Committee

Meeting to be held on 13 July 2016

Electoral Division affected: Farington

South Ribble Borough: application number. LCC/2016/0035

Variation of condition 1 of permission 07/11/0739 to allow the development to continue until 01 June 2031 and variation of condition 26 of permission 07/11/0739 to allow site operations from 06.30am Mondays to Fridays, in relation to the extraction of sand and restoration to agricultural land by the importation of waste at Lydiate Lane Sand Quarry, Lydiate Lane, Farington, Leyland

Contact for further information:

Robert Hope, 01772 534159

DevCon@lancashire.gov.uk

Executive Summary

Application – Variation of condition 1 of permission 07/11/0739 to allow the development to continue until 01 June 2031 and variation of condition 26 of permission 07/11/0739 to allow site operations from 06.30am Mondays to Fridays, in relation to the extraction of sand and restoration to agricultural land by the importation of waste at Lydiate Lane Sand Quarry, Lydiate Lane, Farington, Leyland.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, site operations, restoration and aftercare.

Applicant's Proposal

The application site is an existing sand quarry with permission for restoration back to agricultural land by the importation of inert waste. The existing planning permission (ref. 07/11/0739) is subject to a number of conditions. Condition 1 requires that operations cease by 2 August 2016 and that the site be progressively restored by 2 August 2017. Condition 26 states that no work should take place on the site except between the hours of 7.30am and 6.30pm Mondays to Fridays and between 8.30am and 12.30pm on Saturdays with no working on Sundays or Public Holidays. Maintenance of equipment, plant and machinery only may be carried out on Saturday afternoons between the hours of 12.30pm and 6.30pm.

The applicant is seeking to change condition 1 of permission 07/11/0739 to allow the development to continue until 01 June 2031 and to change condition 26 of

permission 07/11/0739 to allow site operations including quarrying of sand and importation of inert waste to take place from 06.30am Mondays to Fridays.

There is no proposal to increase the overall footprint of the site, increase the depth of working or change the final restoration levels beyond that which has already been consented. There are currently no vehicle movement restrictions and site traffic has historically fluctuated with market demand for mineral reserves, site conditions, and availability of restoration materials.

The applicant has stated that there remains some 500,000 tonnes of sand to extract which would probably be exhausted before the proposed planning application end date. However, the Environmental Permit Application of December 2012 assessed the void space to be infilled to restoration levels as 1.3 million cubic metres or 2.2 million tonnes. The applicant has stated that it would be difficult to predict the rate of infill over a future period but a conservative estimate of 15 years would be appropriate, which also coincides with the lease period on the land and avoids the potential situation of having to re-apply at a later date.

Description and Location of Site

The application site is an operational sand and gravel quarry to the north of Lydiate Lane and adjacent to the M6 motorway, approximately 2km north-east of Leyland town centre. Access to the site is taken from Lydiate Lane. Sand and gravel has been extracted from several phased areas of the site with agricultural grassland to the north where extraction is yet to commence. The permitted mineral extraction area extends over approximately 19 hectares and there remains approximately 6 hectares of unworked land.

The site has planning permission to be restored to original land levels by the importation of inert waste which has already commenced in the early phases of the site at the south-east. Land beyond the site to the north is in agricultural use although is identified as a strategic investment site for future mixed employment use development (see Policy C4 of the South Ribble Local Plan). Residential properties are located along Lydiate Lane, primarily opposite the site access on the south side of Lydiate Lane at Bristol Avenue.

The applicant's proposal would not alter the area of the previously authorised development.

Background

Planning history

The site has a varied and complex planning history involving a number of different operators.

Lydiate Lane sand quarry was granted planning permission on appeal in Aug 1993 (ref. 07/91/648) subject to conditions. The quarry has been operational since 1998.

In October 1998 planning permission was granted for an extension of time to allow the mining and landfilling operations for a further 5 years until 2016 (ref 7/98/360).

In 2006 the site operator submitted a planning application (ref. 07/06/0672) to vary conditions 4, 10, 16, 25 and 30 of planning permission 7/91/648 (as amended) to provide for: the cessation of mining and landfilling operations no later than 2 August 2021 and progressive restoration of the site within a further period of 12 months; cessation of sand extraction in any further phase until imported waste is physically deposited in the preceding phase, commencing with phase 3 for the purpose of restoring it; the erection of a 4.0m high screen mound along the entire southern boundary of Phase 6 in place of the close boarded fence originally required by the condition; Skip carrying vehicles to enter the site to deposit engineering materials for the construction of on-site roads and to remove wastes from the site; and the construction of a mini-roundabout at the junction of Lydiate Lane with Stanifield Lane within 3 months of the date of granting of a certificate of Pollution Prevention and Control Permit for the importation of waste to the site. Permission was granted for the variation of conditions but was refused for the operational life of the site to be extended until 2 August 2021 and for a variation to the condition relating to the construction of a mini-roundabout.

In 2008 a planning application was submitted by a new operator to vary the requirements of planning permission 07/06/0672 with an alternative phasing scheme with particular emphasis on ensuring that operations would be compliant with best practice for landfilling in accordance with any future Pollution, Prevention and Control (PPC) Permit (now Environmental Permit) issued by the Environment Agency. The revised scheme provided for the retention of the existing operations area (sand washing/screening plant and stockpiles etc) at the south western part of the permitted site until the site is finally restored. The scheme included four additional progressive working and tipping phases incorporating the construction of geological barriers suitable for the receipt of waste, which follows a more irregular pattern but maintaining a general trend of working towards the north of the site. Planning permission was granted on 16 July 2010 (ref. 07/08/0231).

On 18 January 2012 planning permission was granted for removal of condition 23 (provision of a road sign for the south side of Lydiate Lane) and 25 (the construction of a mini roundabout) of permission 07/08/0231 (ref. 07/11/0739).

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 6 – 16, 79 - 92, 109 – 125, 142 -148 are relevant with regard to the definition of sustainable development and the operation of the planning system, protecting green belt land, conserving and enhancing the natural environment and facilitating the sustainable use of minerals respectively.

Planning Practice Guidance accompanying the NPPF (PPG)

Minerals

Waste
Noise

*Joint Lancashire Mineral and Waste Development Framework Core Strategy DPD -
Managing our Waste and Natural Resources (JLMWDF)*

Policy CS1 Safeguarding Lancashire's Mineral Resources
Policy CS3 Meeting the demands for New Minerals
Policy CS5 Achieving Sustainable Mineral Production
Policy CS7 Managing our Waste as a Resource
Policy CS8 Identifying Capacity for Managing our Waste
Policy CS9 Achieving Sustainable Waste Management

*Joint Lancashire Minerals and Waste Local Plan - Site Allocations and Development
Management Policies – Part One (JLMWLP)*

Policy NPPF1 Presumption in Favour of Sustainable Development
Policy DM1 Management of Waste and Extraction of Minerals
Policy DM2 Development Management
Policy LF2 – Sites for Inert Landfill
Policy M1 Managing Mineral Production

Central Lancashire Adopted Core Strategy

Policy 22 Biodiversity and Geodiversity
Policy 29 Water Management

South Ribble Local Plan

Policy G13 Trees, Woodland and Development
Policy G16 Biodiversity and Nature Conservation
Policy G17 Design Criteria for New Development
Policy C4 Cuerden Strategic Site

Cuerden Strategic Site Masterplan Report – April 2015

Consultations (summary of responses)

Farington Parish Council – No observations received.

South Ribble Borough Council – Objection. Frequent complaints have been received in relation to noise and dust and vehicle movements from the site. The proposed extension of operating hours could have an adverse impact on local residents and an extension to the life of the site would prolong the impact. There has been insufficient assessment of noise from HGVs leaving the site [comments received prior to applicant's revised noise assessment].

LCC Highways Development Control – No objection. The proposals would have a negligible impact on highway safety and capacity in the immediate vicinity of the site.

County Ecology Service – There is an opportunity to improve the restoration scheme with increased biodiversity. Bat survey required to assess potential impact of loss of trees from remaining unworked areas of the existing site.

Environment Agency – No objection.

Highways England – Recommend a number of conditions to ensure that the safety and integrity of the M6 motorway is maintained.

Public Rights Of Way – No observations received.

Ramblers' Association – No observations received.

Representations – The application has been advertised in the local newspaper and by site notice, and neighbouring residents informed by individual letter. 10 representations have been received raising the following summarised concerns:

- There would be noise nuisance/ vehicle noise on highway.
- There would be dust nuisance/sand blowing off lorries onto property.
- There has been a problem with unsheeted lorries.
- Noise of lorries from the site at 6.30am would be unacceptable.
- To ensure that noise limits would be complied with from 6.30am the operator would not be able to use specific plant and machinery as set out in the noise assessment. This could make the proposal unfeasible.
- Operations already start before the current authorised time and noise can be heard particularly from vehicle engine noise/generator.
- One of the representations has no issue with the time extension until 2031.
- The Lydiate Lane Sand Quarry is immediately adjacent to the Cuerden Strategic Site, as allocated in the local development plan. It should be demonstrated by the applicant that mineral workings would not cause instability or undermine any part of the Cuerden Strategic site, taking into account its strategic designation.
- A time extension at the quarry could negatively affect the development of the Cuerden Strategic Employment Site by way of noise, dust, ground stability, traffic etc.
- The applicant has not provided adequate justification for the proposed time extension.
- The application does not consider the potential impacts of the quarry development on the Cuerden Strategic Employment Site. Initial engineer's advice has been sought and it is considered that structural integrity concerns are raised regarding the potential ability to develop land in close proximity to the quarry site. It is recommended that some form of obligation be made for restoration to engineer approved standard.

Cllr Paul Wharton (Borough Councillor for Farington East in South Ribble) – Objects on the grounds of noise, dust, air quality and the impacts on the roads surrounding the site. Numerous complaints have been received from local residents regarding dirt of the road from the quarry. Dust is also a problem in the summer months. Allowing the site to run from 6.30am will have a serious detrimental impact on the quality of life of residents due to noise.

Cllr Jonathan Woodcock (Borough Councillor for Farington East in South Ribble) – Objection. The proposal would have a disproportionately negative impact upon local residents who have already had to live with the health implications and noise issues for years. The site has been poorly managed over a long period of time with problems around traffic and noise.

Advice

This application is for two proposed changes. Firstly to extend the time period for working and restoring an existing quarry site and secondly, to allow working at the site from 6.30am Mondays to Fridays instead of the currently permitted 7.30am.

The principle of quarrying and restoring the site with inert waste has already been established and the mineral reserve within the whole site has already been accounted for within the County's overall available mineral landbank.

The policies of the Development Plan seek to ensure that Lancashire makes an appropriate contribution to meeting local, regional and national supplies of minerals. It is therefore necessary to assess the need for the mineral that would be extracted along with an assessment of the potential impacts of working and restoring the site on the local environment including impacts on the public highway, the amenity of the residents who live nearby, the impact on the Green Belt, and the local environment. Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Section 73 of the Town and Country Planning Act 1990 provides for applications for planning permission to develop land without complying with conditions previously imposed on a planning permission. The local planning authority can grant such permission unconditionally or subject to different conditions, or they can refuse the application if they decide the original condition(s) should continue.

Need for minerals

Government policy is set out in the *National Planning Policy Framework* which seeks to ensure that Mineral Planning Authorities should plan for a steady and adequate supply of aggregates to the construction industry. When determining planning applications, Paragraph 144 of the NPPF is clear that local planning authorities should give great weight to the benefits of mineral extraction including to the economy.

The Joint Lancashire Minerals and Waste Plan covers the administrative areas of Lancashire County Council, Blackburn with Darwen Borough Council and Blackpool Council (the Joint Authorities). The Joint Plan consists of an adopted Core Strategy and Site Allocation and Development Management Policies Local Plan.

Policy CS1 of the JLMWDF (published February 2009) states that minerals will be extracted only where they meet a proven need for materials within particular specifications. Policy CS3 of the JLMWDF is about meeting the demand for new minerals and states that provision will be made for the extraction of 10.8 million

tonnes of sand and gravel between the plan period of 2001 – 2021. Based on the position at 2005 this allowed for the release of not less than 4.1 million tonnes of sand and gravel between 2005 -2021.

Policy M1 of the JLMWLP (published September 2013) states that development will not be supported for any new extraction of sand and gravel, limestone, gritstone or brickshale. This policy was formulated in view of the mineral landbank information available at the time but acknowledges that there is explicit recognition for a need to plan, monitor and manage the supply of minerals. The Lydiate Lane Quarry reserves are already accounted for and therefore any time extension for working the site would not represent 'new extraction'.

In April 2015 a Local Aggregate Assessment (LAA) report was published by Lancashire County Council to inform the monitoring and review of the Minerals and Waste Local Plan. The report contains information on the past 10 years data for aggregate production and sales and it seeks to identify objectively assessed need, a requirement of the NPPF's presumption in favour of sustainable development.

The report identifies that in 2013 there were 8.2 million tonnes of sand and gravel reserves in Lancashire with planning permission. These permitted reserves are held in eight quarries, though in 2012, one quarry, German Lane was inactive and Runshaw (Euxton) had not started extraction (still the case in 2015), although its permission has been implemented.

Based on the 10 year average of sales at 2013 the permitted reserves of 8.2 million tonnes are expected to last 15 years, and the 7 year landbank is expected to begin to be eroded in 2028. However, in order to ensure the continued steady and adequate provision of aggregate to market, the ability of permitted sites to meet the forecast annualised demand must be considered. The LAA indicates that it is likely that a number of these sites will not be worked out before the expiry of their permission. If this is the case, in the event that their permitted life is not extended, the permitted reserve and landbank will need to be revised. More crucially, in 2013 nearly half of the permitted reserve was held in one quarry (Runshaw Quarry) and this remains inactive.

There is sound justification to allow the continuation of working at the site from a need perspective thereby releasing sand reserves that have already been factored into local supplies and also to ensure that valuable reserves would not be sterilised.

Restoration

The site would be restored through the importation of inert waste and soils to achieve final levels comparable to adjoining land. The applicant has submitted new drawings which reflect the previously approved scheme but provide a renewed clarity on the nature of phased working and restoration including tree/hedgerow planting layout and methodology. The restoration scheme is considered acceptable as part of the proposed extended duration of working. An Environmental Permit is required for the site and this controls the specific waste types and measures to prevent pollution from the restoration works.

Green Belt

The quarry is located in the Green Belt. Paragraph 79 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.

Paragraph 80 of the NPPF explains that the purposes of including land in Green Belt include checking the unrestricted sprawl of large built up areas, preventing towns merging into one another, assisting in safeguarding the countryside from encroachment, preserving the setting and special character of historic towns, and assisting in urban regeneration.

Paragraph 87 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 90 of the NPPF states that mineral extraction is not inappropriate development in the Green Belt provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt.

The existing quarry void is being restored back to surrounding agricultural land levels through the importation of inert waste and soils. A continuation of mineral extraction would not harm the openness of the Green Belt and satisfactory restoration would contribute to returning the land to a standard fit for agricultural use and therefore would not conflict with the purposes of including land in Green Belt.

Slope Stability

Representations have been received in relation to adjoining land allocated as the Cuerden Strategic Site (See Policy C4 of the South Ribble Local Plan and the Cuerden Strategic Site Masterplan Report – April 2015). The adjacent strategic site land is currently in agricultural use. However, future development (subject to planning permission) could see built development in close proximity to the quarry site. Assurance has been sought that the extraction of sand up to previously approved extraction boundaries would not be likely to generate ground instability beyond the red line boundary of the site. Highways England has also sought assurance that the integrity of the M6 embankment would not be compromised.

The applicant has submitted a geotechnical assessment that satisfactorily demonstrates that the previously approved and currently proposed extraction boundaries would not be likely to lead to any slope failure beyond the site boundary given the nature of the mineral deposit, the depth of working and the distance between the extraction boundary and the site boundary. There appears to be no reason to dispute the findings of the assessment. Therefore it is considered that the phased working plans and restoration scheme are acceptable in this respect and the working areas can be restricted by conditions.

Visual Impact

The site has limited visual impact from neighbouring land partly due to well established screening mounds. Views into the site are possible from the M6 motorway but this is fleeting. Users of the local footpath network can currently see the quarry and screening mounds. A large proportion of the site has been worked over many years and restoration works have commenced. The proposed time extension would allow remaining unworked areas of the site to be excavated and restoration works to be completed. However, there would be no significant additional visual impact associated with continued working and extending operations into currently unworked areas of the site.

Impact upon local amenity and pollution control

The NPPF and the JLMWDF recognise that minerals and waste developments have the potential to give rise to adverse impacts on the quality of life of people for a variety of reasons including noise, dust and vibration. More specifically, Policy DM2 of the JLMWLP supports development for minerals or waste management operations where it can be demonstrated that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals, account should be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts could be controlled in accordance with current best practice and recognised standards.

The existing planning permission for the site is subject to conditions relating to the control of noise and it would be reasonable to re-impose those conditions should permission be granted for a time extension for the working of the site. However, the applicant is also seeking permission to extend the working day, starting at 6.30am, Monday to Friday. This has raised concerns over potential noise nuisance at a more unsociable time, particularly from HGVs arriving at and exiting the site.

Paragraph 123 of the NPPF states that *planning policies and decisions should aim to:*

- *avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
- *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*
- *recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and*
- *Identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.*

Assessment of 'significant adverse impacts' is directed to the DEFRA publication *Explanatory Note to the Noise Policy Statement for England*.

In the accompanying practice guidance for the NPPF the management of the noise associated with particular development types is considered in a number of separate

documents. For minerals development there is National Planning Practice Guidance: Minerals (PPG).

In relation to noise the PPG states that applicants *should carry out a noise impact assessment, which should identify all sources of noise and, for each source, take account of the noise emission, its characteristics, the proposed operating locations, procedures, schedules and duration of work for the life of the operation, and its likely impact on the surrounding neighbourhood.*

Proposals for the control or mitigation of noise emissions should:

- *consider the main characteristics of the production process and its environs, including the location of noise-sensitive properties and sensitive environmental sites;*
- *assess the existing acoustic environment around the site of the proposed operations, including background noise levels at nearby noise-sensitive properties;*
- *estimate the likely future noise from the development and its impact on the neighbourhood of the proposed operations;*
- *identify proposals to minimise, mitigate or remove noise emissions at source;*
- *monitor the resulting noise to check compliance with any proposed or imposed conditions.*

The PPG continues by adding that *Mineral planning authorities should take account of the prevailing acoustic environment and in doing so consider whether or not noise from the proposed operations would:*

- *give rise to a significant adverse effect;*
- *give rise to an adverse effect; and*
- *enable a good standard of amenity to be achieved.*

In line with the Explanatory Note of the Noise Policy Statement for England, this would include identifying whether the overall effect of the noise exposure would be above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation.

The PPG recommends appropriate noise standards and advises that *Mineral planning authorities should aim to establish a noise limit, through a planning condition, at noise-sensitive property that does not exceed the background noise level ($L_{A90,1h}$) by more than 10dB(A) during normal working hours (0700-1900). Where it will be difficult not to exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable. In any event, the total noise from the operations should not exceed 55dB(A) LAeq, 1h (free field). For operations during the evening*

(1900-2200) the noise limits should not exceed the background noise level ($L_{A90,1h}$) by more than 10dB(A) and should not exceed 55dB(A) LAeq, 1h (free field). For any operations during the period 22.00 – 07.00 noise limits should be set to reduce to a minimum any adverse impacts, without imposing unreasonable burdens on the mineral operator. In any event the noise limit should not exceed 42dB(A) LAeq,1h (free field) at a noise sensitive property.

Where the site noise has a significant tonal element, it may be appropriate to set specific limits to control this aspect. Peak or impulsive noise, which may include some reversing beepers, may also require separate limits that are independent of background noise (e.g. L_{max} in specific octave or third-octave frequency bands – and that should not be allowed to occur regularly at night.)

For particularly noisy short term events such as soil stripping and road construction the PPG advises:

Increased temporary daytime noise limits of up to 70dB(A) LAeq 1h (free field) for periods of up to eight weeks in a year at specified noise-sensitive properties should be considered to facilitate essential site preparation and restoration work and construction of baffle mounds where it is clear that this will bring longer-term environmental benefits to the site or its environs.

Where work is likely to take longer than eight weeks, a lower limit over a longer period should be considered. In some wholly exceptional cases, where there is no viable alternative, a higher limit for a very limited period may be appropriate in order to attain the environmental benefits. Within this framework, the 70 dB(A) LAeq 1h (free field) limit referred to above should be regarded as the normal maximum.

The applicant has submitted a noise assessment (as amended) which considers local ambient noise levels and actual and predicted noise levels from site operations and HGV movements. Noise levels are measured against Government guidance, appropriate British Standards and World Health Organisation advice. The noise assessment demonstrates that background noise levels are significant as a result of traffic movements along Lydiate Lane and from the M6 Motorway throughout the day including the period from 6.30am. The noise report concludes that site operations would comply with the Government night time noise limit of 42dB(A) LAeq,1h (free field) subject to controls over the use of plant and machinery from 6.30 to 7.00am and that HGV movements to and from the quarry during this period would have a negligible impact on existing traffic noise. High maximum noise level readings (L_{max}) from HGVs, cars and motorbikes are already a significant feature along Lydiate Lane, which is a busy A-road throughout the day.

Subject to additional noise related conditions controlling the Government guidance night time period (6.30am -7.00am) to restrict noise levels from the site to 42dB(A) LAeq,1h (free field) and as a precautionary approach, restricting mechanical operations to HGVs and loading shovels during this period (as recommended by the noise assessment), it is considered that noise from the proposed operations would not give rise to an adverse effect in accordance with the Government's Planning Practice Guidance. A condition on the existing permission relating to the control of

daytime noise (after 7am) in accordance with Government guidance could be carried forward.

Highway Matters

There would be no change to the highway arrangements associated with the application other than HGVs leaving the site from 6.30am. Vehicle movement numbers are not currently restricted due to the suitability of Lydiate Lane and the surrounding highway network to accept HGVs. The County Council's Highway Development Control has raised no objection and commented that the proposals would have a negligible impact on highway safety and capacity in the immediate vicinity of the site.

Notwithstanding the acceptability in highway capacity terms, HGV movements have the potential to generate noise and dust/mud nuisance. Noise from vehicles has been discussed above. Historically, complaints have been received in relation to mud being tracked out of the site during wet weather and dust when the sand off vehicles and the road is dry. This has been a particular problem with high numbers of vehicle movements. The operator has a responsibility to ensure that this issue is carefully monitored and action taken in the event that there is evidence of dust or mud leaving the site. A new permission would provide an opportunity to impose more precise controls on requirements to keep roads clean by way of condition.

Comments have been received from Highways England with recommended conditions to seek to ensure the protection of the M6 Motorway and maintain access to it. Following further discussions with Highways England they now appreciate that there is a definitive footpath and track between the quarry site and the motorway embankment and accept that a condition to prevent quarry workings impact on the motorway embankment is all that is required as a precautionary approach. Conditions are recommended to restrict quarry working to the previously approved extraction boundary and also to protect the M6.

Protected Species and Habitats

The site features worked areas of sand and gravel and areas of partial restoration through the importation of inert waste. The remaining unworked authorised extraction areas are improved pasture land with limited habitat interest with the exception of a number of mature trees and hedgerows.

In view of the potential habitat for bats, the applicant was requested to undertake a bat survey assessment. A bat survey has been undertaken and this concluded that bats are not currently using the trees as roost sites and that the trees on site have low potential for bat roosting. Therefore, a European Protected Species mitigation licence would not be required for the felling works to proceed and it is reasonable to allow the development to proceed in this respect subject to a condition to seek to protect nesting birds during the bird breeding season.

Human Rights

In view of the location, scale and nature of the proposed development it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Conclusion

The proposal does not seek to increase the overall footprint of the site or deviate from any other aspect of the consented operation, other than extending the time period for the development and commencing operations an hour earlier Mondays to Fridays. The time extension would allow for a continued supply of the remaining sand and gravel reserves within the existing quarry area that are already accounted for within the County's mineral landbank, and would allow for appropriate site restoration.

The commencement of site working and transport of minerals from 6.30am Mondays to Fridays would enable the operator to deliver materials to and from sites at the times materials are requested. The applicant has undertaken a comprehensive noise assessment that objectively concludes that noise between 6.30am and 7.30am would not be generated to a level that would result in an unacceptable adverse impact subject to recommended noise control conditions.

Consideration has been given to current planning policy and guidance bearing in mind the site has been operational for some time. There have been no significant material changes in terms of scale, nature or methods of working since the previous grant of planning permission which would result in the development having an unacceptable impact upon the Green Belt, landscape character, local amenity, the water environment, or the local highway network. It is acknowledged that the adjoining land is allocated as a major strategic employment site and built development may take place in the future. However, the quarry currently exists and a slope stability assessment has concluded that it is unlikely that existing or future quarry operations would compromise ground stability beyond the site boundary. Subject to recommended conditions it is considered that proposal complies with the policies of the development plan and the National Planning Policy Framework.

Recommendation

That planning permission be **Granted** subject to the following conditions:

Time Limits

1. The mining operations authorised by this permission shall cease not later than 1 June 2030. The site shall be progressively restored in accordance with the conditions of this permission and shall be finally restored by 1 June 2031.

Reason: To provide for the completion and progressive restoration of the site within the approved timescale, to secure the proper restoration of the site and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan, Policy 22 of the Central Lancashire Adopted Core Strategy, and Policy G13 and G16 of the South Ribble Local Plan.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
 - a) The Planning Application validated by the County Planning Authority on 3 May 2016
 - b) Submitted Plans:
 - Figure 1 - Location Plan
 - Figure 2, Rev F - Indicative Quarry Development: Existing Site Plan
 - Figure 3, Rev F - Indicative Quarry Development: End of Sand Extraction Phase 3 / EA Landfill Permit Phase 2
 - Figure 4, Rec C - Indicative Quarry Development: Indicative Quarry Development: End of Sand Extraction Phase 4 / EA Landfill Permit Phase 3
 - Figure 5, Rev C - Indicative Quarry Development: EA Landfill Permit Phase 6
 - Figure 6, Rev C - Indicative Quarry Development: EA Landfill Permit Phase 9
 - Figure 7, Rev D - Final Restoration
 - Figure 8, Rev C - EA Landfill Permit EPR/LB3834AE Phase Boundaries Overlaid the Final Restoration
 - Figure 9, Rev B - Indicative Quarry Development: Sections A-E
 - Figure 10, Rev B - Indicative Quarry Development: Section F

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan, Policy 22 of the Central Lancashire Adopted Core Strategy, and Policy G13 and G16 of the South Ribble Local Plan.

Site Operations

3. No soils shall be stripped and no minerals shall be extracted in Phase 3, shown on Figure 2, Rev F - 'Indicative Quarry Development: Existing Site Plan', dated April 2016, until the 'Phase 1 EA Permit' Area shown on Figure 8, Rev C - 'EA Landfill Permit EPR/LB3834AE Phase Boundaries Overlaid the Final Restoration' has been restored in accordance with the conditions of this permission. No soils shall be stripped and no minerals shall be extracted in Phase 4, shown on Figure 2, Rev F - 'Indicative Quarry Development: Existing Site Plan', dated April 2016, until the 'Phase 2 EA Permit' Area shown on Figure 8, Rev C - 'EA Landfill Permit EPR/LB3834AE Phase Boundaries Overlaid the Final Restoration' has been restored in accordance with the conditions of this permission.

Reason: To ensure satisfactory restoration of the site and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan, Policy 22 of the Central Lancashire Adopted Core Strategy, and Policy G13 and G16 of the South Ribble Local Plan.

4. No minerals shall be extracted below the depth identified as the 'Sand Extraction extent' shown on Figure 9, Rev B - 'Sections A-E' and Figure 10, Rev B - 'Section F'.

Reason: To secure satisfactory restoration and to safeguard local watercourses and drainages and avoid the pollution or derogation of any watercourse of groundwater resource and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

5. No waste shall be deposited at a level higher than the restoration levels shown on Figure 7, Rev D - Final Restoration.

Reason: To ensure satisfactory restoration of the site and to conform with Policies 2, 13, 14, 106, 107, 108 and 112 of the Lancashire Minerals and Waste Local Plan.

6. No soil stripping or mineral extraction shall take place beyond the phased extraction areas shown on the plans listed in condition 2 of this permission.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users, and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

7. No topsoil or subsoil shall be removed from the site.

Reason: To ensure satisfactory restoration of the site to conform with Policy DM2 of Joint Lancashire Minerals and Waste Local Plan.

8. The site shall be the final place of deposit for waste and no waste shall be removed from the site once it has been deposited within the landfill area.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users, and to ensure satisfactory restoration of the site and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

9. A topographical survey of the site shall be submitted annually to the County Planning Authority within one month of each anniversary of the date of this permission until the end of the aftercare period referred to in the conditions to this permission. The survey shall have been carried out within two months preceding the date of the anniversary of this permission and shall consist of a plan drawn to a scale not less than 1:1250 which identifies all surface features within the site and a 10 metre grid survey identifying levels related to ordnance datum over all the land where mining operations have taken place/waste has been deposited.

Reason: To enable the County Planning Authority to monitor the site and to ensure compliance with the planning permission and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

10. All vehicles taking mineral from or bringing waste to the site shall be sheeted so as to prevent spillage or dust blowing from their loads.

Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

11. No skip carrying vehicles shall be used to deposit waste within the landfill. This condition shall not apply to skip carrying vehicles depositing engineering materials to be used for the construction of on-site roads and other engineering works within the site. No skip carrying vehicles shall enter or leave the site before 7.30am.

Reason: To reduce the risk of potentially polluting waste materials entering the site, to reduce noise from vehicles, and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

12. Where reversing alarms are employed on site on mobile plant and equipment, only broadband multi-frequency sound alarms (white sound) shall be used.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

13. The internal haul road between the wheel cleaning facilities and Lydiate Lane shall be metalled and drained and shall be kept clear of debris along its entire length throughout the development.

Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

14. Wheel cleaning facilities shall be made available at the site.

Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

15. No debris, mud or dust from the site shall be deposited by vehicles upon the public highway.

Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

16. No working shall take place on the site except between the hours of 6.30am and 6.30pm Mondays to Fridays and between 8.30am and 12.30pm on Saturdays. There shall be no working on Sundays or Public Holidays. Essential maintenance of equipment, plant and machinery only may be carried out on Saturday afternoons between the hours of 12.30pm and 6.30pm.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land-users, and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

17. Subject to Condition 18 below, noise emitted from the site shall not exceed 55dB(A) Leq (1 Hour) between 7.00am and 6.30pm, and 42dB (A) Leq (1 Hour) between 6.30am and 7.00am as measured at one metre from the facade of any noise sensitive property affected by the development of the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land-users, and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

18. Noise limits set out in condition 17 shall not apply during the dismantling of the site access road, haul roads, and site compound. Noise from these activities shall not exceed 70db(A) Leq (1 hour) as measured at one metre from the facade of any noise sensitive property affected by the development and restoration of the site for more than 8 weeks in any one calendar year.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan

19. Between 6.30am and 7.00am Mondays to Fridays, no plant, machinery, vehicles or equipment, other than vehicles collecting mineral or depositing waste, and one loading shovel, shall be operated at the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

20. The boundary hedge to Lydiate Lane at the site access shall be maintained so as to provide a visibility sight line of 160m measured from a point on the access road 4.5m from the edge of the carriageway of Lydiate Lane and be maintained throughout the life of the development and restoration of the site.

Reason: In the interests of highway safety and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

21. Any site entrance gates at the site access shall be set back at least 15m from the edge of the carriageway of Lydiate Lane and shall open inwards into the site.

Reason: In the interests of highway safety and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

22. The actions contained within the submitted document 'Dust Action Plan', dated April 2012 shall be adopted during the development including the restoration of the site.

Reason: to safeguard the amenity of local residents and adjacent properties/landowners and land users, and the environment and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

23. Provision shall be made for the collection, treatment and disposal of all water entering or arising on the site to ensure that there shall be no discharge of contaminated or polluted drainage to ground or surface waters.

Reason: To safeguard local watercourses and drainage and avoid the pollution of any watercourses or groundwater resource or adjacent land, and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

24. All oil, oil-related or chemical-based liquid storage tanks or drum storage areas shall be sited within the compound area on an impervious base and surrounded by a sealed bund wall capable of containing 110% of the tanks' or drums' total volume and shall enclose within its curtilage all fill and draw pipes.

Reason: To safeguard local watercourses and drainage and avoid the pollution of any watercourses or groundwater resource or adjacent land, and to conform with, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

25. No trees or hedgerows shall be removed during the bird-breeding season between 1 March and 31 July inclusive unless they have been previously checked and found clear of nesting birds in accordance with Natural England's guidance and if appropriate, an exclusion zone set up around any vegetation to be protected. No work shall be undertaken within the exclusion zone until birds and any dependant young have vacated the area.

Reason: To protect nesting birds and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

26. There shall be no development on or adjacent to the M6 motorway embankment that shall put the embankment or earthworks at risk.

Reason: To protect the M6 Motorway and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Restoration

27. The site shall be progressively restored in accordance with the details shown on figures 2-10 as set out in condition 2 of this permission.

Reason: To ensure satisfactory restoration of the site and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan, Policy 22 of the Central Lancashire Adopted Core Strategy, and Policy G13 and G16 of the South Ribble Local Plan.

Aftercare

28. Aftercare of the site to promote the agricultural use of the site shall be carried out in accordance with the Document entitled 'Aftercare Strategy for Lydiate Lane Quarry' (Appendix 4 of submitted documents) for a period of 5 years on each phase following certification in writing by the County Planning Authority that the works of restoration in that phase are complete, as defined in this permission.

Reason: To ensure satisfactory restoration of the site and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan, Policy 22 of the Central Lancashire Adopted Core Strategy, and Policy G13 and G16 of the South Ribble Local Plan.

Definitions

Completion of Restoration: The date the County Planning Authority certifies in writing that the works of restoration in accordance with the conditions of this permission have been completed satisfactorily.

Free field: At least 3.5 metres away from the facade of a property or building.

Notes

The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping - up or diversion of a right of way should be the subject of an Order under the appropriate Act.

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

Local Government (Access to Information) Act 1985

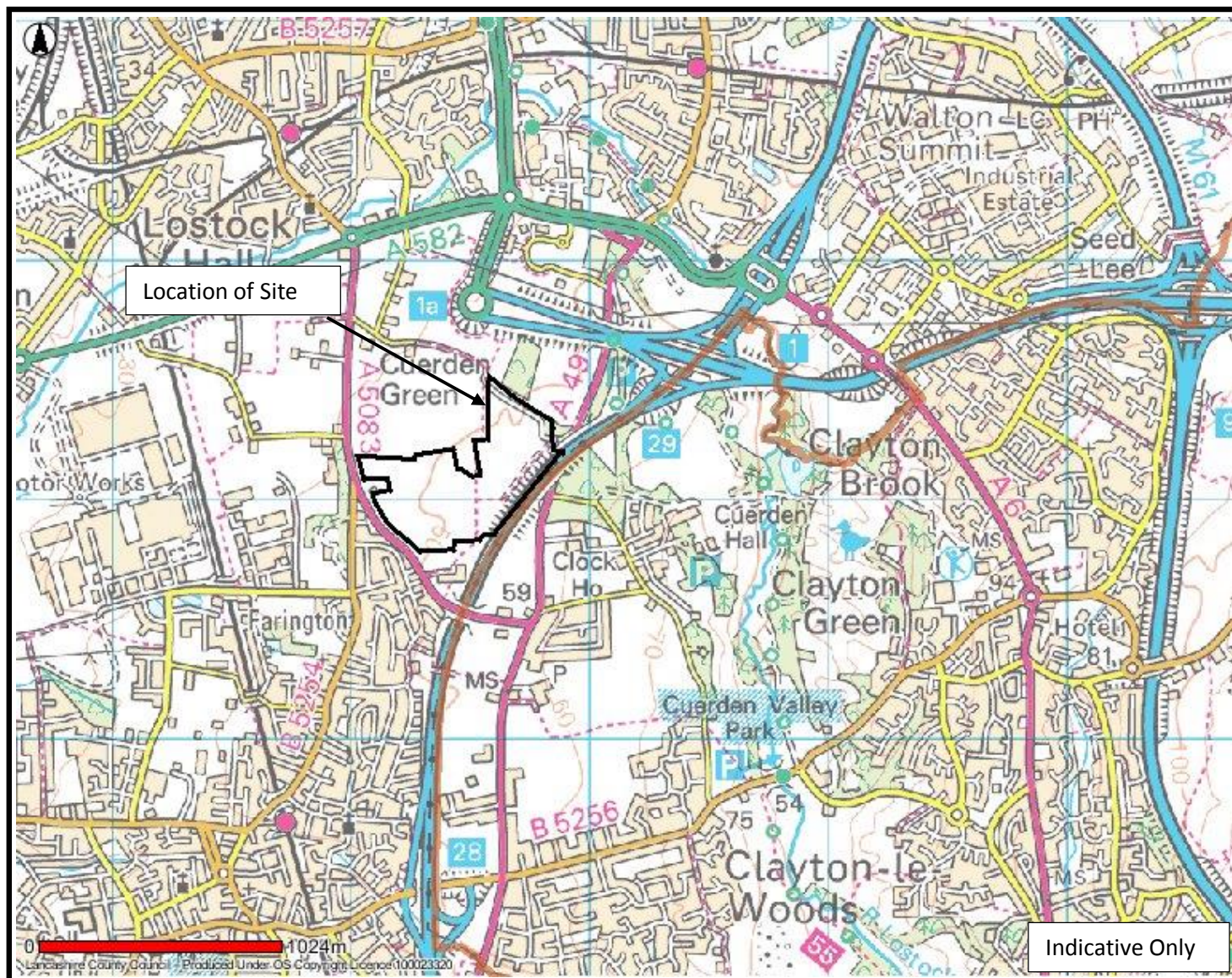
List of Background Papers

Paper	Date	Contact/Ext
LCC/2016/0035	July 2016	R Hope/34159

Reason for Inclusion in Part II, if appropriate

N/A

APPLICATION LCC/2016/0035 VARIATION OF CONDITION 1 OF PERMISSION 07/11/0739 TO ALLOW THE DEVELOPMENT TO CONTINUE UNTIL 01 JUNE 2031 AND VARIATION OF CONDITION 26 OF PERMISSION 07/11/0739 TO ALLOW SITE OPERATIONS FROM 06.30AM MONDAYS TO FRIDAYS, IN RELATION TO THE EXTRACTION OF SAND AND RESTORATION TO AGRICULTURAL LAND BY THE IMPORTATION OF WASTE. LYDIATE LANE SAND QUARRY LYDIATE LANE LEYLAND



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Development Control Committee
Meeting to be held on 13th July 2016

Electoral Division affected: Chorley North

Chorley Borough: Application Number. LCC/2016/0037

Proposed new three form entry primary school for pupils aged 4-7 including single storey building, car parking area, hard surface play area, grass playing pitch and 1.5m and 2.4m high perimeter fencing.

Trinity CE Methodist Primary School, Brookwood Way, Buckshaw Village, Chorley.

Contact for further information:
Faiyaz Laly, 01772 538810
DevCon@lancashire.gov.uk

Executive Summary

Application - Proposed new three form entry primary school for pupils ages 4-7 including single storey building, car parking area, hard surface play area, grass playing pitch and 1.5m and 2.4m high perimeter fencing.

Trinity CE Methodist Primary School, Brookwood Way, Buckshaw Village, Chorley.

Recommendation - Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, landscaping, highways issues, external lighting and drainage schemes.

Applicant's Proposal

The application is for a proposed new three - form - entry primary school for pupils aged 4-7. This would include a single storey building which would comprise of 9 classrooms with a capacity to accommodate 270 pupils. These facilities would accommodate 3 classrooms for reception pupils and 6 classrooms for infant pupils. The proposal includes a car parking area for 40 vehicles with 1.5m and 2.4m high perimeter fencing around the school site. There would also be one outdoor grass junior football pitch (45m x 27m) along with two other outdoor play areas which would total 1340m².

The planning application site area is 1.1925 ha with the proposed building having a gross internal floor area of 1485m². The external elevations to the new building would be predominantly golden buff facing brickwork and rendered cream blockwork

with a stucco finish aluminium built up pitched roof. The windows and doors of the school would have aluminium coated frames coloured dark grey. The 2.4m high weld mesh fencing located to the rear and side boundaries of the school would be coloured dark green and the 1.2m high railing fence situated to the frontage of the school would be coloured dark grey.

The maximum height of the proposed building would measure 7.9m. The proposal includes car parking with staff parking (32 spaces) and school visitor parking (8 spaces) located north west and north east of the school site respectively. The proposal also includes the erection of two cycle stores which would accommodate up to 20 cycles.

Members will visit the site prior to determining the application.

Description and Location of Site

The proposed school site is situated on the west side of Central Avenue, in the Buckshaw Village development area, 3 km north west of Chorley town centre. The site would be accessed from Brookwood Way with an additional point of pedestrian entry from Wigan Road, on the western side of the proposed school grounds. The proposed school would be located 550m south west of the existing Trinity CE Primary School site on Unity Place. Most of the land around the site is yet to be developed but is allocated for residential / commercial uses. There are some recently constructed residential properties 25m to the south on Brookwood Way and Whitely Drive.

The closest watercourse to the site is Buckshaw Brook located approximately 25m on the south western corner of the site. The immediate surrounding areas to the east, north and south of the proposed development site consist of similar brownfield development sites which are allocated as mixed use development for housing and employment in the Chorley Local Plan. Adjacent on the west side of the proposed school is a deciduous woodland which is designated as a BHS, with residential and retail building towards the east.

Background

There is no relevant planning history on the proposed school site.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 7 - 14, 17, 56 - 65 and 72 - 74 of the NPPF are relevant with regards to the definition of sustainable development, core planning principles, requiring good design and the need for new school places.

Central Lancashire Core Strategy

Policy 1 - Locating Growth

Policy 3 - Travel

Policy 14 - Education

Policy 17 - Design of New Buildings

Policy 29 - Water Management

Chorley Borough Local Plan

Policy V1 - Model Policy

Policy ST4 - Parking Standards

Policy BNE1 - Design Criteria for New Development

Policy BNE9 - Biodiversity and Nature Conservation

Policy EP10 - Primary School Allocations

Consultations

Chorley Borough Council - No observations received.

Euxton Borough Council - No observations received.

LCC Specialist Advisor (Ecology) - The proposed 2.4m weld mesh security fence should be raised slightly above the ground to facilitate habitat connectivity for wildlife including small mammals and amphibians and the installation of the boundary fence should take place outside the BHS boundary so that it does not compromise any mature trees or woodland ground flora. Due to the proposed site being located in close proximity to a BHS, it would be appropriate for the LPA to approve detailed landscape proposals to ensure locally appropriate native species and any native or ornamental species would not be invasive or 'escape' into the BHS.

Site preparation and site clearance should ideally take place outside of the bird nesting season (March - August). If this is not possible then the absence of nesting birds should be confirmed in advance of any works on the site. The immediate adjacent woodland is likely to be of value to bats. It is therefore important to ensure that impacts on trees / woodland edge are avoided during construction and operation. No external lighting should be proposed that would illuminate mature trees or the woodland edge.

Sport England - No objection.

Natural England - No objection.

LCC Specialist Advisor Landscape - Some form of planting (hedge / small trees) along the northern boundary of the proposed school is recommended.

Environment Agency - No comment.

LCC Lead Local Flood Authority - No objection, subject to the inclusion of conditions relating to a Surface Water Drainage Scheme and a Surface Water Lifetime and Maintenance Plan to be submitted and approved by the Local Planning Authority. Also if planning permission is given, the applicant would need to obtain a Land Drainage Consent before starting works on the site.

The applicant should be advised that permeable paving and rainwater harvesting should not be included within the hydrological calculations as this could be removed or altered in the future increasing surface water runoff which was previously unallocated for in the design of the sustainable drainage system. Also the applicant

should explore the use of more SUDS features to reduce the rate and volume of surface water draining from the site.

LCC Developer Support (Highways) - No objection, subject to the inclusion of conditions relating to details of a drop off / pick up area and a scheme for the construction of the site access and the off-site works of highway improvements. This would need to include details and location points of where the provision of tactile paving's and dropped kerbs would be located.

Representations - The application has been advertised by press, site notice and neighbouring residents informed by individual letter. One representation has been received from a neighbouring resident, whilst not objecting to the application, requests clarification regarding car parking provision and traffic alleviation measures at the school.

Advice

The need for the proposed school

The application is for a new three form entry school which is required due to the demand for school places in the area. The proposed development would take place on the Buckshaw Village development which is a major area of new housing and commercial development taking place on the former Royal Ordnance Factory site. The primary school education needs of the Buckshaw Village development are currently mainly served by the Trinity Primary School located on Unity Place which was built as a single form entry school in 2010 and then expanded to two form entry in 2013. This school is close to capacity but due to the physical constraints of the site it is not feasible to further to extend the school.

There is a sustained need for additional places in the Euxton area, which includes the Buckshaw Village development. The need is for an additional 47 places in 2015 and 2016 and for 34 places in 2017, based upon live births in the area. However, planned housing in the area has the potential to generate an approximate yield of an additional 6 pupils per year group over the next 5 years. The existing Buckshaw Trinity School is full in all year groups. In 2012 the school received 52 1st preferences when the school's admission number was 30 whilst in 2013 the school's admission number was raised to 60 and there were 75 1st preferences and for 2014 there were 72 1st preferences.

The proposed new school on Brookwood Way would accommodate infant children (Key Stage 1) with the existing school site on Unity Place accommodating the junior children (Key Stage 2). The split site arrangement was deemed to be necessary as the existing site on Unity Way was not large enough to accommodate an additional form of entry. As part of the planning process for part of the development on Buckshaw Village, the proposed site on Brookwood Way was secured known as 'Group One' for the provision of primary school places. It was the only site available, and is accessible to the community that the current school serves and within walking distance of the existing school site.

The existing Trinity Primary School at Unity Place is a two form entry school with a capacity for 420 children but which currently has 332 children ages 4 - 11 from Reception to Year 6. However, the existing spare capacity will be filled by 2017 due

to new housing development in the area. The proposed school on Brookwood Way would allow Trinity CE Primary School to expand to provide a three form entry over both sites with a potential combined capacity of 630 children by the year 2023. The Brookwood Way site would be a single storey development comprising of 9 classrooms with a capacity for 270 children and attended by children aged 4-7. The 270 capacity would be in addition to that of the 420 of the existing school which would slightly be in excess of the 630 capacity in 2023.

The Cabinet Member for Children, Young People and Schools approved the temporary expansion of Trinity Church of England School on Unity Place from 60 to 90 pupils for September 2015. On 12th January 2015 the Cabinet Member for Children, Young People and Schools agreed that a period of consultation be undertaken to allow a permanent increase in Reception intakes from 60 to 90 from September 2016, initially on the existing school site which would be then followed by a permanent build on the proposed school site on Brookwood Way.

Lancashire County Council has a statutory duty to provide a primary or secondary school place to every child of statutory school age living in Lancashire who requests one. A combination of sustained increase in the number of births together with plans for significant additional housing developments in Chorley means that as local children reach statutory school age there will not be sufficient places in this area to meet demand.

Paragraph 72 of the National Planning Policy Framework states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It requires that Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education. The NPPF states that great weight should be given to the need to create, expand or alter schools.

Following on from the statutory notice period a final decision was made by the Cabinet Member for Children, Young People and Schools on 12th August 2015 to conditionally approve the number of places available from 60 to 90 pupils for the reception year in September 2016 and in subsequent reception years utilising the second site on Brookwood Way. Overall the proposed new school site would accommodate the need for additional school places in the area and would be supported by the policy in the NPPF to which great weight should be attached. However, it is also important to balance the need for the accommodation against the likely impacts of the proposed development.

Location and design of school

The proposed site is allocated within the Chorley Local Plan under Policy EP10 - Primary School Allocations which reserves the proposed site for a primary school. The use of this site for a primary school therefore complies with local planning policy.

The proposed school would be situated on the west side of Brookwood Way, with residential properties to the west and south. The premises would be accessed from Brookwood Way with an additional pedestrian point of entry from Wigan Road on the western side of the school grounds. The design includes car parking provision on the northern side of the school site for up to 40 vehicles which would include 2 spaces

for disabled vehicles. There would be also be parking provision for 20 cycles located south east of the school building.

The proposed school is a modern design with external elevations of predominantly golden buff facing brickwork and rendered cream blockwork with a stucco finish aluminium built up roof. The windows and doors of the school would include aluminium coated frames coloured dark grey. The 2.4m high weld mesh fencing located to the rear and side boundaries of the school would be coloured dark green and the 1.2m high railing fence situated to the main entrance frontage of the school being coloured dark grey. The maximum height of the proposed single storey building would measure approximately 7.9m. The closest residential properties would be located approximately 25m from the boundary of the school on Brookwood Way and Whitely Drive, with some of these houses facing the school site. However, the school building would be considerably further from these properties and therefore the separation distances are considered acceptable.

There would be 2.4m high weld mesh fencing located to the rear and side boundaries of the school and 1.2m high railings situated to the main entrance frontage of the school. Part of the proposal also includes the provision of one outdoor grass junior football pitch (45m x 27m) and two other outdoor play areas which would total 1340m². The grass football pitch would be situated close to the residential housing but due to the landscaping and perimeter fencing would not be expected to raise any amenity impacts for local residents.

Part of the proposals includes perimeter tree planting to the boundary of the site which would provide some landscaping of the site frontage and protect the amenities of the houses located on the opposite side of Brookwood Way. Also, as the proposed school building is a single storey building located at the northern end of the school site, it would be situated away from and have an acceptable visual impact on any future residential development on Brookwood Way. Overall the scale and design of the school is considered acceptable and subject to a condition for the retention of the woodland within the site boundary to the west of the site, the development complies with Policy 17 of the Central Lancashire Core Strategy and Policy BNE1 of the Chorley Borough Local Plan.

Ecology

The application site is located within the wider area which was a former Royal Ordnance Site which has been cleared and remediated previously. Mitigation and compensation for impacts on biodiversity (including protected and priority species and habitats) arising from site clearance and remediation was secured as part of earlier planning permissions for land reclamation and remediation earthworks to create a development platform for housing and commercial use around the school site (09/09/00095/FULMAJ). However a Phase 1 Habit Survey was carried out in February 2016 to ensure all legislations is compiled with for any protected sites and species surrounding the development site.

The majority of the school site would be located on currently vacant land of negligible biodiversity value which provides limited habitat for protected or priority species. However, the woodland located adjacent to the proposed school site is a BHS and could be used as a foraging resource for bats. It is therefore important to ensure that impacts on trees on the woodland edge are avoided during construction operations.

The applicant has therefore proposed a 2m high tree protection fence to achieve this aim. The proposal also includes the erection of a 2.4 security fence situated around the school site. Part of this fencing would be located within the BHS as there are plans to create a small habitat creation area within the BHS for children. The security fencing would help safeguard the children and it is considered that the fencing would not have a detrimental impact on the woodland subject to controls over its design. A further condition can be attached requiring full details of the habitat creation area which would need to be submitted and approved within three months from the commencement of development.

Even though the site area has a low risk potential that ground nesting birds would be present, site preparation and site clearance should take place outside of the bird nesting season (March - August). If this would not be possible the absence of nesting birds should be confirmed in advance of any works starting on the proposed site.

No external lighting should be erected that would illuminate mature trees or the woodland edge to avoid any adverse impacts on wildlife. The proposed habitat creation area located in the adjacent woodland would need to ensure locally appropriate native species or ornamental species proposed would not be invasive and 'escape' into the BHS. These matters can be dealt with the submission of landscape proposals for approval by condition. With such conditions attached, the proposed development is considered acceptable when assessed against Policy BNE9 of the Chorley Borough Local Plan.

Traffic Issues

In order to assess the traffic impacts from the proposed school, a survey was conducted in April 2016 at the existing school located on Unity Place to assess travel to school patterns. It is considered that the proposed school would have a similar pattern due to its location. The survey showed the following modal splits - 31.7% (Car), 50% (Walk), 17.9% (Bike), 0.3% (Bus), 0.3% (Taxi). However the splitting of the school over two sites could result in the number of cars increasing slightly as some parents may have children based at both school sites and consequently would have difficulty getting to both sites through walking or cycling methods. However, it is considered the number would not rise significantly enough to have a detrimental effect on the operation of the highway networks situated around the school.

To address the issue of parents having children in both sites, the existing school site on Unity Place would operate a school drop off facility from 8:40am which would give parents enough time to subsequently travel to the proposed Brookwood Way site for the start of the school day at 8:55am. The same issue would exist at the end of the school day, so the school has agreed that the site on Brookwood Way would finish at 3:10pm and the site on Unity Place would finish at 3:25pm leaving parents enough time to travel between the two sites. There would also be an after school club at the existing Unity Place site with a walking bus operating from the Brookwood Way site for those who want to use the facility.

The main issue raised by this proposal relates to traffic and associated impacts on highway safety and residential amenity. The local highway network situated around the school has only recently been constructed to current design standards to accommodate ongoing development. The school would be accessed from

Brookwood Way which is a single carriageway (7.3m in width) with footways on both sides of the road and is subject to a speed limit of 30mph. Brookwood Way is accessed from Wigan Road to the west and Central Avenue to the east. Along Brookwood Drive there is a 3m wide combined footway / cycle way on both sides, on the western side this then reduces to a standard 2m width along the school frontage.

Across the site frontage, in order to improve access to the school through walking and cycling methods, it is proposed that the 3m footway / cycleway would be extended to the school entrance.

There is already a significant level of provision for cyclists and pedestrians in the vicinity of the site, with 3m wide combined footway / cycleways along both sides of Central Avenue and part of Brookwood Way. To the north of Brookwood Way there is a toucan crossing of Central Avenue which would help parents / pupils gain access to the school site. Also to the east of Central Avenue there is a segregated pedestrian / cycle route through to Holland House Way which would provide a direct pedestrian / cycle route between the two school sites.

The access stubs that have been constructed onto Brookwood Way to serve other development plots do not have dropped kerb facilities with associated tactile paving. Consideration would need be given to amending the existing infrastructure at the stubs on the likely pedestrian route between the two school sites. The improvements to pedestrian / cyclist provision can be secured through a planning condition. Currently Central Avenue is the main road located just off Brookwood Way which has bus stops located to the north and south of the junction with Brookwood Way. The school site would also accommodate 40 vehicles and 20 cycles which would accord with the Chorley Council Local Plan Parking Standards.

LCC Developer Support have requested a range of other highway improvements which aim to provide safety for parents and pupils arriving and departing the school site. This includes provision of a drop off / pick up zone large enough to accommodate a coach which would conform to the Chorley Council Parking Standards. The applicant is also advised that the proposed site access to the school should either be 4.80m wide to allow the passage a large vehicle and a car or 5.50m in width to allow two large vehicles to pass each other. Also due to safety risks to moving vehicles, the gates to the bin stores should be redesigned to either open inwards or left without gates.

As parking spaces are arranged in a perpendicular layout in the staff car park, manoeuvring lanes between the spaces would need to be less than 6.0m in width. Also the proposed gate to the staff car park may cause vehicles difficulty reversing out of one of the two parking bays provided along the school, the proposed gate to the 'sprinkler tank' should open inwards to improve vehicle safety. They have also advised for additional provision of dropped kerbs and tactile paving along the northern point of Brookwood Way. These detailed design issues can be addressed through appropriate planning conditions.

Flooding Issues

The application is accompanied by a Flood Risk Assessment which identifies that the site lies with Flood Risk Zone 1 (low probability of flooding). However as the proposed development would involve a significant increase in hard surfaced areas,

the potential impacts of increased run off would need to be considered. The Flood Risk Assessment does not confirm the measures that would be used for surface water management. However the information provided with the application states that the method of surface water drainage at the school would use systems such as runoff soakaways, infiltration systems, green roof and rainwater harvesting subject to consideration of ground conditions.

The Lead Local Flood Authority have stated that permeable paving or rainwater harvesting should not be included within the hydrological calculations for the site as such systems could be removed in the future. It is therefore considered that a condition should be imposed requiring a drainage plan based on sustainable drainage principles and details of appropriate water sustainable drainage schemes to be submitted. A Surface Water Lifetime Management and Maintenance Plan should also be submitted prior to the commencement of development. With such conditions the development would be considered acceptable in terms of Policy 29 of the Central Lancashire Core Strategy.

Conclusion

The NPPF states that great weight should be given to the need to create schools to ensure sufficient choice of school places to meet the needs of existing and new communities. Lancashire County Council has a statutory duty to provide a primary or secondary school place to every child of statutory school age, living in Lancashire who requests one. A combination of sustained increase in the number of births together with plans for significant additional housing developments in Chorley means that as local children reach statutory school age there is a need to accommodate for the demands for school places in the area which current primary schools in the area cannot facilitate.

The proposed site is currently vacant brownfield land. The site is allocated as a primary school site in the Chorley Local Plan, with the surrounding area allocated for housing and commercial use. There would be no ecological impacts proposed due to the current condition of the proposed site. The current highways around the vicinity of the proposed school site would be able to accommodate the traffic that would be generated and any residual highway impacts including pedestrian and cycling improvements can be addressed through planning conditions. The development would incorporate satisfactory levels of screening and landscaping such that the impacts on local amenity would be acceptable.

In view of the scale, location and nature of the development, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **Granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out except where modified by the conditions to this permission in accordance with the following documents:
 - a) The Planning Application and supporting statement received by the County Planning Authority on 6th May 2016.
 - b) Submitted Plans and documents:
 - Drawing A-P01 / Site and Location Plan
 - Drawing A-P02 / Ground Floor Plan
 - Drawing A-P03 / Elevations
 - Drawing A-P04 / Site and Location Plans as Proposed
 - Drawing A-P05 / Site Plan
 - c) All schemes and programmes approved under the conditions to this permission.

Reason : To minimise the impact of the development on the amenities of the area and to conform with Policy 17 of the Central Lancashire Core Strategy and Policy BNE1 of the Chorley Council Borough Local Plan.

Landscaping

3. Within three months of the commencement of development, a scheme and programme for the landscaping of the site shall be submitted to and approved in writing by the County Planning Authority. The scheme and programme shall include details of:
 - a) Details for the planting of tree and shrub screening belts including numbers, types and sizes of species to be planted, location and layout of planting areas, protection measures and methods of planting.
 - b) Details of the proposed habitat creation area on the west side of the school site including planting schedule, details of any ground treatment and surfacing to be used and details of any play equipment that would be placed in the area.
 - c) Details of the 2.4 high weld mesh security fence to be located in the Buckshaw Wood and Grassland Biological Heritage Site including routing of fencing to avoid existing trees and measures to ensure that the fence will not impact upon habitat connectivity for wildlife including small mammals and amphibians.

The approved landscaping works shall be undertaken in the first planting season following completion of construction works and shall thereafter be

maintained for a period of five years including weed control, replacement of dead and dying trees and maintenance of protection measures.

The proposed fencing shall be erected in accordance with the approved details.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policy BNE9 of the Chorley Borough Local Plan.

4. Site preparation and site clearance shall take place outside of the bird-nesting season between 1 March and 31 July unless the site has been previously checked and found clear of nesting birds in accordance with Natural England's guidance. If any such nesting birds are found, the area shall be subject to an exclusion zone and no works shall take place within that zone until all breeding birds and attendant young have left the nest.

Reason: To protect nesting birds and to conform with Policy BNE9 of the Chorley Borough Local Plan.

5. No external lighting shall be erected which would illuminate mature trees or the edge of the woodland to the west of the proposed school building.

Reason: To avoid light pollution from artificial light on the adjacent woodland and to conform with Paragraph 125 of the National Planning Policy Framework.

Highway Matters

6. No development shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved by the Local Planning Authority. The scheme shall contain details of the following:
 - a) Full details including dimensions of the drop off / pick up area at the front of the school.
 - b) Details of the proposed car park including layout of spaces and vehicles turning areas.
 - c) Details for the construction of the site access including dimensions and alignment of kerbs at the junction with Brookwood Way
 - d) Off-site works of highway improvement including details for the installation of dropped kerbs and tactile pavings on Brookwood Way and widening of the existing pavement to 3 metres.

The highway works contained in the approved scheme shall be implemented in full prior to the school being brought into use.

Reason: In the interests of highway safety and local amenity and to conform with Policy BNE1 of the Chorley Borough Local Plan.

7. Within one year of the bringing into use of the development, a Travel Plan, as defined by this permission, shall be submitted to the County Planning Authority for approval in writing.

The School Travel Plan shall include:

- a) A brief description of the development, its location and a summary of the particular transport and road safety issues at the site;
- b) Evidence and results of consultation with staff, parents and other interested parties;
- c) Targets and measures to minimise the impact of/reduce private car use for the journey to and from the site by staff, parents and other visitors
- d) A summary of the site's current road safety policies and practices, details of any new or proposed initiatives including a planned timetable of introduction; and,
- e) Proposals for monitoring progress of the Travel Plan including a timetable for its implementation and review.

Reason: In the interests of highway safety and to conform with Policy 3 of the Central Lancashire Core Strategy.

Drainage Schemes

8. No development shall commence until details of the sustainable drainage measures to be incorporated within the development have been submitted to and approved in writing by the County Planning Authority. The details shall include:
- a) Information about the design storm period intensity, discharge rate volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of finished floor levels in AOD;
 - b) Details of how surface water would run-off from the site would be controlled so that run off rates do not exceed 6.48 l/s.
 - c) Flood water exceedance routes, both on and off site;
 - d) Details for the maintenance of any sustainable drainage measures to ensure the effective operation of the measures throughout the lifetime of the development.

The drainage measures contained in the approved scheme shall be implemented prior to the school being brought into use and thereafter maintained in working order.

Reason: In the interests of the prevention of flooding and to conform to Policy 29 of the Central Lancashire Core Strategy and Policy BNE1 of the Chorley Borough Local Plan.

Definitions

Planting Season: The period between 1 October in any one year and 31 March in the following year.

School Travel Plan: This is a document setting out a package of measures for reducing the number of car trips made to a school or a group of schools by parents and staff for improving safety on the school journey. The Plan may be produced by the Local Authority in consultation with a school or may be produced by the school with the advice of the Local Authority

Notes

The applicant's attention is drawn to the requirements of the Equality Act 2010 and the British Standards Institution Code of Practice for Design of Buildings and their approaches to meet the needs of Disabled People (BS8300:2009). The design of the building will also need to comply with Part M of the Building Regulations 2010. In the case of educational buildings, the applicant's attention is drawn to the Special Educational Needs and Disability Act 2001 and the guidance prepared by the Department of Education and Skills Building Bulletin 91 (Access for the Disabled to School Buildings) and Building Bulletin 94 (Inclusive School Design).

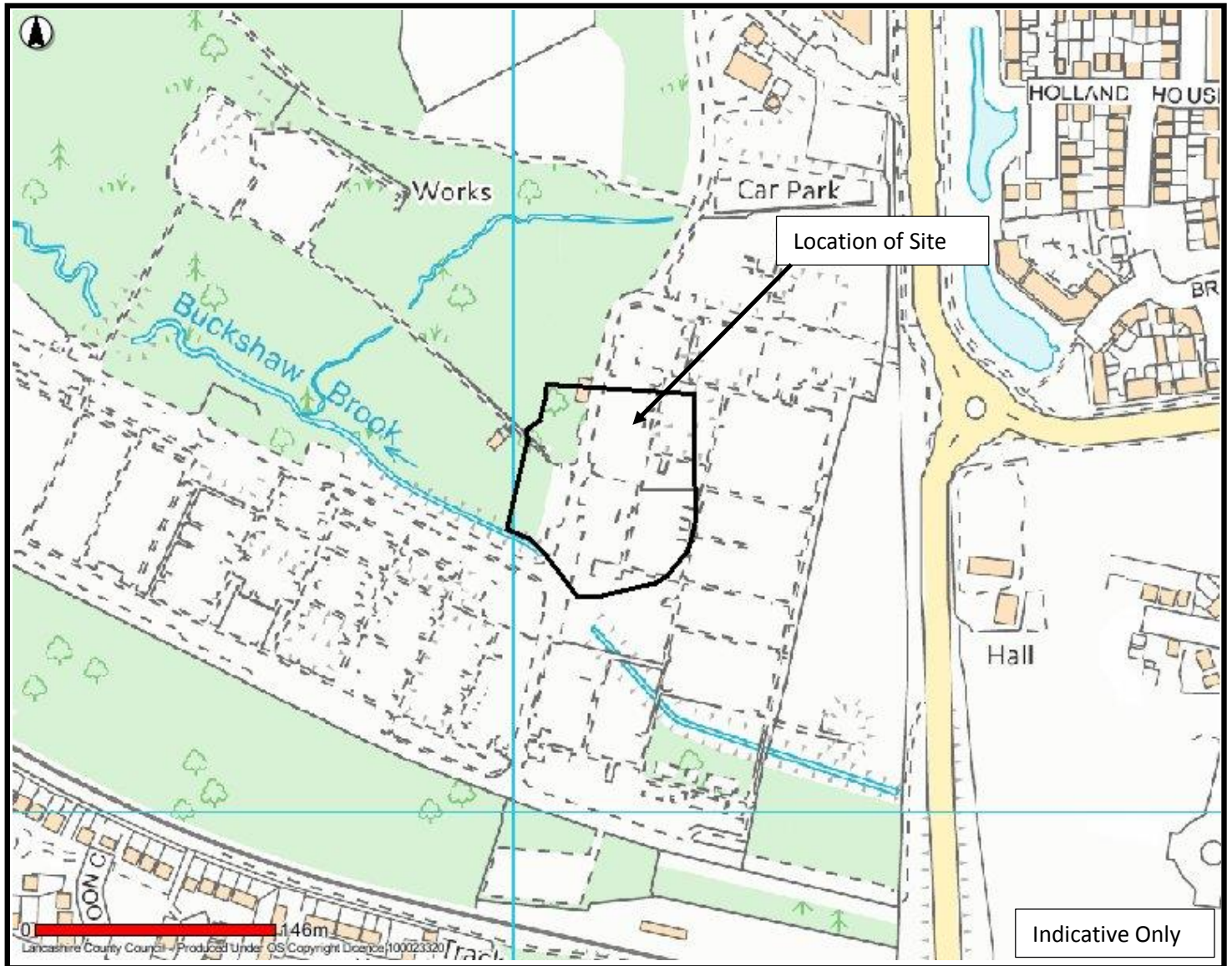
The applicant's attention is drawn to the Department of Education and Employment publication - A Safer Journey to School, specifically the preparation of School Travel Plans.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2016/0037 Environment / 01772 538810	June 2016	Faiyaz Laly / Planning and

Reason for Inclusion in Part II, if appropriate
N/A

APPLICATION LCC/2016/0037 PROPOSED NEW THREE FORM ENTRY PRIMARY SCHOOL FOR PUPILS AGED 4-7 INCLUDING SINGLE STOREY BUILDING, CAR PARKING AREA, HARD SURFACE PLAY AREAS, GRASS PLAYING PITCH, 1.5M AND 2.4M HIGH PERIMETER FENCING. TRINITY CE METHODIST PRIMARY SCHOOL, BROOKWOOD WAY, BUCKSHAW VILLAGE, CHORLEY



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Development Control Committee
Meeting to be held on 13th July 2016

Electoral Division affected: Chorley South

Chorley Borough: Application Number LCC/2016/0039

Single storey extension to provide 3 additional classrooms, a studio, a staff room, a new visitor reception and lobby area, storage space, two cloakroom/ toilet areas for the teaching areas and circulation corridors, a relocated and smaller 17 space car park with associated lighting columns, conversion of the existing grassed playing field into an all-weather pitch with 3.6m high weld mesh fencing, and revised junior playground area and extended infant playground area. St. Georges Primary School, Carr Lane, Chorley.

Contact for further information:
Rob Jones, 01772 534128
DevCon@lancashire.gov.uk

Executive Summary

Application - Single storey extension to provide 3 additional classrooms, a studio, a staff room, a new visitor reception and lobby area, storage space, two cloakroom/ toilet areas for the teaching areas and circulation corridors, a relocated and smaller 17 space car park with associated lighting columns, conversion of the existing grassed playing field into an all-weather pitch with 3.6m high weld mesh fencing, and revised junior playground area and extended infant playground area. St. Georges Primary School, Carr Lane, Chorley.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, building materials, noise, dust, hours of working, highway matters, landscaping and floodlighting.

Applicant's Proposal

Planning permission is sought for an extension to an existing primary school comprising the following elements:

- A single storey extension to the front of St. Georges Primary School to provide three classrooms, a studio, a staff room, a new visitor reception and lobby area, storage space, two cloakroom/ toilet areas for the teaching areas and circulation corridors.
- New 17 space car park (including 2 disabled spaces) with lighting.
- Conversion of part of a grassed playing field into an all-weather pitch surrounded by 3.6m high weld mesh fencing but with no lighting.
- Revised junior playground area and extended infant playground area.

The extension would measure 44.5m by 11m. It would consist of two elements: the main bulk of the extension with a mono-pitch roof that would house the class rooms and be located near to Carr Lane, and a flat roofed corridor with domed roof lights that would act as the link between the existing school building and the extension. The former would be 8.8m wide with a 17.5 degree mono-pitch roof clad in Hardrow 'Harmonies' slate to have a height of 2.9m at the eaves at the front (south side) and rising to 6m high, where it steps down to the 2.2m wide by 3m high corridor. The extension would be constructed from Telford Dark Textured bricks interspersed with plastic framed widows and aluminium doors. A steel framed flat roofed canopy to measure 2.4m wide by 2.9m high would extend 1.1m out from over the entrance door to the visitor reception area.

The new 17 space car park would measure 26m by 18m with 4 by 4m high lighting columns.

The all-weather pitch would measure 48m by 30.5m within 3.6m high weld mesh fencing.

The revised junior playground area, following some loss to the car park, would be extended by approximately 90 sq.m, while the infant playground area would be extended by 173 sq.m.

A total of 6 trees would be removed to accommodate the development; 5 for the extension and 1 for the extended infant playground area. 18 trees would be planted in new locations as mitigation.

Description and Location of Site

St. Georges Primary School is a single storey school fronting the north side of Carr Lane and to the east of the A6 Bolton Road in a mainly residential area approximately 1km south of Chorley. Separate vehicular and pedestrian access is from Carr Lane. The school buildings are on the north side of the site and separated from Carr Lane by an 18 space car park and some trees. Soft landscaping is on the west side of the site consisting of low mounds and some trees inside the junction of Carr Lane and the A6 Bolton Road. The infant and junior hard play areas are located on the respective east and west sides of the school buildings. The school playing fields are on the south side of the site. The school site is surrounded on all boundaries by a mixture of 1.2m high metal railings and hedgerows. All boundaries, except for the frontages to Carr Lane and the A6, are screened by a thick belt of trees with residential properties beyond except for the southern boundary beyond which is the Hop Pocket Public House. Houses are also located on the south side of Carr Lane opposite the school which are approximately 25 metres from the existing school boundary.

The extension would be located on part of the current school car park, which in turn would be relocated to the southern half of the junior hard play area on the west side of the school buildings. The junior playground would be revised by an extension on its north side. The infant playground area would be extended by converting some of the soft landscaping on the west side of the site just inside the junction of Carr Lane

and the A6 Bolton Road. The whole of the grassed playing field would be converted into an all-weather pitch surrounded by 3.6m high weld mesh fencing.

Background

The site is an existing primary school. There is no relevant planning history.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17, 32, 34, 36, 38, 56 – 66, 72, 74, 109, 123 and 125 are relevant with regard to the requirement for sustainable development, core planning principles, promoting sustainable transport, the requirement for good design, the need for sufficient school places, existing open space, conserving and enhancing the natural environment, noise and light pollution.

Central Lancashire Core Strategy

Policy 14 Education
Policy 17 Design of New Buildings
Policy 22 Biodiversity and Geodiversity
Policy 24 Sport and Recreation

Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document

Policy V2 Settlement Areas
Policy ST4 Parking Standards
Policy BNE1 Design Criteria for New Development
Policy BNE6 Light Pollution
Policy BNE7 Unstable Land
Policy BNE9 Biodiversity and Nature Conservation
Policy BNE10 Trees
Policy HW2 Protection of Existing Open Space, Sport and Recreational Facilities

Consultations

Chorley Borough Council – No observations received.

LCC Highways Development Control – No objection. The existing infrastructure for walking, cycling and public transport use is considered adequate to sustain any impacts due to the proposed development. It is suggested, however, that the current practices of parent parking on pavements in the immediate vicinity of the school could be curtailed by replacing the existing single yellow line (related to waiting/loading restrictions) on the south west side of Carr Lane with double yellow lines (no waiting at any time restrictions), plus introducing double yellow lines on both sides of the end of Carr Lane up to and around the junction with the A6 Bolton Road for a distance of three car lengths. The cost of introducing the waiting restrictions should be borne by the applicant.

Coal Authority – No objection but comment that any planning permission should contain an advisory note that the proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity, and that any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit.

Sport England – Holding objection until the following further information is submitted in relation to the proposed All-Weather sports pitch:

- Run off areas, and any recess for goals.
- Cross sections and materials of the sub layers including type of shockpad.
- Type of 3G Artificial Grass Pitch i.e. football and/or rugby compliant.
- The refurbishment and resurfacing of the footpath leading to the synthetic pitch.
- A comprehensive explanation of the sporting benefits and what sports the pitch is intended to be used for.

LCC Specialist Advisor (Lighting) – No objection. There are no highway implications as the light spill appears to be well controlled and confined within the school boundary.

LCC Specialist Advisor (Landscape) - No objection subject to the imposition of a condition to require details to be submitted for approval of replanting proposals and of the 'no dig' footpath underneath the canopy of the retained Norway Maple, so as to ensure the tree is not damaged in any way.

LCC Specialist Advisor (Ecology) - No objection subject to the imposition of the following conditions:

- The use of any flood lighting shall be restricted to the duration of the construction operations including those associated with permitted development works. Any floodlighting utilised on the site shall be angled downwards into the site and shaded to minimise light spill.
- No lighting shall be used for the all-weather pitch unless details of the type of lighting, the intensity and spread of light, and times to be used, have first been submitted to and approved in writing by the Local Planning Authority.
- No trees other than those identified for removal on shall be removed as part of the development including those works undertaken with the benefit of permitted development rights. All other trees on the site shall be retained and protected from damage throughout the duration of construction works.
- No trees or hedgerows shall be removed during the bird-breeding season between 1 March and 31 July inclusive unless they have been previously checked and found clear of nesting birds in accordance with Natural England's guidance and if appropriate, an exclusion zone set up around any vegetation to be protected. No work shall be undertaken within the exclusion zone until birds and any dependant young have vacated the area.

Representations – The application has been advertised by site notice and local residents informed by individual letter. Two objections have been received

concerned that the increased numbers of pupils at the school will exacerbate the already dangerous practice of parents parking along the roads surrounding the school during school drop off and pick up times to the detriment of road and pedestrian safety, and particularly school children who may run out between parked cars. The illegal parking on kerbs, yellow lines, zig zags and the corner of junctions must be resolved before this planning application is approved.

Advice

Planning permission is sought to erect a single storey extension to provide 3 additional classrooms, a studio, a staff room, a new visitor reception and lobby area, storage space, two cloakroom/ toilet areas for the teaching areas and circulation corridors, a relocated and smaller 17 space car park with associated lighting columns, the conversion of the existing grassed playing field into an all-weather pitch with 3.6m high weld mesh fencing, and revised junior playground area and extended infant playground area to St. Georges Primary School.

The school currently has a planned admission number of 35 pupils per year and a high demand for school places, with other schools in the locality also expanding to meet the basic need for places. To make the school compatible with requirements for class sizes of 30 pupils, the extension is required to enable the school to expand from a 1-form to a 1.5-form entry school to allow pupil numbers to increase from the current capacity of 210 to around 315 by September 2022 when the entire school would be 1.5-form entry. The capacity of the school is currently being exceeded as 251 children attend.

The existing 18 space car park has to be relocated to the southern half of the junior hard play area so as to accommodate the extension but the car park will be reduced to 17 spaces due to a lack of room at the school. The lost area of junior playground would be replaced in part by extending the remaining area. The infant playground area would be extended by converting some of the soft landscaping inside the junction of Carr Lane and the A6 Bolton Road. The whole of the grassed playing field would be converted into an all-weather pitch as it is unusable during substantial parts of the year.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In considering the issues that arise from the proposed development, it is necessary to take into consideration the relevant policies of the Development Plan and the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision making process. The Development Plan for the site is made up of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document, and the Central Lancashire Adopted Core Strategy Local Development Framework.

The main issues relate to the need for the development, the design of the built form, traffic and safety, the impact on residential amenity, landscape and the conversion of the existing grassed playing field to an artificial pitch.

Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. The policy states that Local Planning Authorities should give great weight to the need to expand schools. Policy 14 of the Central Lancashire Core Strategy seeks to provide for education requirements by requiring schools to be modernised and improved by new construction. The proposal therefore would meet the need for new school places as identified by national planning policy and would comply with Policy 14 of the Central Lancashire Core Strategy.

The site is an existing primary school within the urban area of Chorley. Policy V2 of the Chorley Local Plan has a presumption in favour of appropriate sustainable development relating to their location, design, compatibility with existing surrounding development and use. Policy BNE1 of the Chorley Local Plan relates to design criteria for new development and seeks to achieve quality in design. Policy 17 of the Central Lancashire Core Strategy relates to the design of new buildings and has similar criteria.

The extension would be single storey and would be to the front of the school facing Carr Lane. While the extension would not match the appearance of the existing school buildings, the size, design and materials would not be overly dominant and be visually acceptable. The space between the front of the extension and the boundary of the school would be utilised as an outdoor teaching and play area.

The change from a 1-form to a 1.5-form entry school would increase the number of pupils at the school from the current 251 to around 315. This is an increase of 25% and would result in some increase in traffic to the school. The Transport Statement (TS) submitted with the application states that the school currently generates approximately 248 vehicle movements during the day; 128 vehicle movements in the morning (93 associated with pupils and 35 associated with staff) and slightly fewer in the afternoon with 120 vehicle movements (85 associated with pupils and 35 associated with staff). It is estimated that the proposed development would increase vehicle movements in the morning by 27 (24 associated with pupils and 3 associated with staff) and by 25 in the afternoon (22 associated with pupils and 3 associated with staff) if the current travel patterns continue although this increase would take place progressively over a number of years as the additional classroom space is utilised. The number of vehicle numbers during each opening and closing time would therefore be 300 by September 2022 (224 associated with pupils and 76 associated with staff). The TS concludes that it has been demonstrated that the traffic volumes likely to be generated by the proposed development will not be significant and the resulting impact on the operational capability of the local highway network and associated junctions should be minimal.

Two representations have been received concerned that increased pupil numbers will increase traffic levels and problems of parent parking on Carr Lane and the surrounding highway network to the detriment of road and pedestrian safety. It is suggested that illegal parking on kerbs, yellow lines, zig zags and the corner of junctions must be resolved before this planning application is approved.

In response, the TS considers that, whilst the development would clearly involve some increase in traffic, there should be more than sufficient road space to

accommodate the forecast additional parent parking without detriment to highway safety/operation.

The school is located within the main urban area of Chorley and is therefore proximate to the locations where children attending the school will reside and therefore there is potential to encourage children to travel to school by means other than private car. The TS advises that the school has a School Travel Plan, but there is no date as to when this was produced. It is considered that a condition should be imposed requiring an updated travel plan to be submitted which should include a timetable of measures to be implemented to increase the proportion of pupils and staff travelling to the school by means other than private car and provision for regular reviews as the size of the school increases.

LCC Highways Development Control have not objected. However, it is commented that it is likely that the combination of the reduction in staff car parking provision from 18 to 17 spaces and the increase in staff numbers at the school due to the proposed expansion will increase on-street parking in the surrounding area. At school drop off and pick times, parents' vehicles do park on the waiting restrictions, and partially on the footway and the carriageway. While these impacts are only for short periods, they do create pedestrian safety issues, particularly for children when trying to cross the road, and they also create highway safety implications for cars and especially buses travelling down Carr Lane, as the road is narrowed. There is a formal agreement between the school and the neighbouring Hop Pocket public house for use of the off-street car park. However, most parents clearly do not make use of this arrangement.

The TS suggests two potential mitigation measures; the installation of bollards around the junction of Bolton Road/Carr Lane so as to prevent the parking of vehicles on the pavement at that point, and the extension of the existing single yellow line (related to waiting/loading restrictions) from the south west side of Carr Lane opposite the school to the junction of the Carr Lane residential cul-de-sac.

In response, LCC Highways Development Control have suggested that bollards would not stop parking on the footway as motorists determined to park on the footway can still drive from one end of the footway behind the bollards and exit from the other. The existing single yellow line does not appear to deter parking on the south side of Carr Lane, so it is unlikely that extending it further would be an adequate solution to the current parking problems.

A suggested solution to the current practices of parent parking on pavements in the immediate vicinity of the school could be to replace the existing single yellow line (related to waiting/loading restrictions) on the south west side of Carr Lane with double yellow lines (no waiting at any time restrictions), plus introducing double yellow lines on both sides of the end of Carr Lane up to and around the junction with the A6 Bolton Road for a distance of three car lengths.

It is considered that the suggested solution would mitigate some of the impacts during school drop-off and pick-up periods. The imposition of parking restrictions on the surrounding highways would require a Traffic Regulation Order which the County

Council as highway authority can promote. However, the TRO needs to follow a separate legal process and for this reason a planning condition cannot stipulate the exact traffic management measures that will be required since these may not be able to be delivered through the TRO process. It is considered that the condition relating to the school travel plan should include a general requirement relating to parking management at the school which would trigger a need to seek a TRO if it was considered appropriate.

As part of the proposal, the car park would be relocated and the number of car parking spaces would decrease from 18 to 17. The car park would be separated from the adjacent areas by 1.5m railings. Policy ST4 of the Chorley Local Plan refers to parking standards and allows two parking spaces per classroom. The number of classrooms in the whole school site with the new development would be 11. The maximum number of allowable car parking spaces should therefore be 22. The level of proposed parking provision is therefore considered acceptable and would accord with Policy ST4 of the Chorley Local Plan. A condition should require that the car parking spaces are marked out before the car park is brought into use. The main impact from the relocated car park would be from the provision of 4 x 4m high lighting columns to illuminate the car park. A plan has been submitted to show the proposed illumination (lux) levels and which shows the light produced would be contained within the boundaries of the school. It is considered that the proposed extended car park lighting is acceptable and would not adversely impact on the amenities of local residents and would comply with Policy BNE6 of the Chorley Local Plan.

Six trees would be removed to accommodate the development; 5 for the extension and 1 for the extended infant playground area. 18 trees would be planted in new locations as mitigation. Conditions are proposed to protect the trees to be retained and to ensure that only those trees identified for removal are removed and to require a landscaping scheme be submitted for the planting of replacement trees. With respect to ecological matters, a condition should require that no trees or hedgerows shall be removed during the bird-breeding season between 1 March and 31 July inclusive unless they have been previously checked and found clear of nesting birds. An advisory note should also be included to draw to the attention to the applicant and developer/s their legal duty to avoid the spread of non-native invasive plant species. Subject to these, the development would accord with Policies BNE9 and BNE10 of the Chorley Local Plan and Policy 17 of the Central Lancashire Core Strategy.

The applicant has stated that the whole of the grassed playing field is unusable during substantial parts of the year. They therefore wish to convert it into an all-weather pitch to overcome these problems. The grassed playing field is the subject of Policy HW2 of the Chorley Local Plan that seeks to protect existing open space, and sport and recreational facilities. It has a number of criteria including one that the loss would be acceptable where alternative facilities of an equivalent or enhanced standard are provided nearby before the existing facilities cease to be available. Policy 24 of the Central Lancashire Core Strategy has similar requirements.

Sport England have registered a holding objection, until further information as stated in their consultation response above, is submitted in relation to the proposed all-

weather sports pitch. Given that the new classroom development would not have any impact on the existing playing field, it is considered acceptable to include a condition to require that the development of the all-weather pitch shall not commence until the required details have been submitted for approval. The finished colour of the ball stop fencing has not been provided and hence a condition should require details of the colour to be submitted for approval. Subject to the imposition of these conditions, the replacement of the grassed school playing field with an all-weather sports pitch accords with Policy HW2 of the Chorley Local Plan and Policy 24 of the Central Lancashire Core Strategy.

To protect the amenities of the nearest properties and the surrounding area during the construction phase of the development, a condition is proposed restricting the hours within which construction work may be carried out, to require that noise and dust suppression methods be employed and to control any floodlighting. Subject to the imposition of such conditions, the development is considered to be acceptable in terms of the impact on the amenities of nearby residential properties and complies with Policy BNE1 of the Chorley Local Plan. In line with the request of the Coal Authority, an advisory note should be included on any planning permission that the proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity.

In conclusion, the proposed development would provide additional teaching areas and facilities to enable St. Georges Primary School to increase from a 1-form to a 1.5-form entry school. The layout, scale and design of the development would ensure a high quality educational setting. The traffic associated with the development would increase when compared with existing levels but the long term highway impacts of the development would be acceptable. The all-weather pitch would provide for all year round outdoor sports provision and facilities at the school.

In view of the scale, location and nature of the proposed development it is considered that no Convention Rights as set out in the Human Rights Act would be affected.

Recommendation

That planning permission be **Granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:

a) The Planning Application received by the County Planning Authority on 17 May 2016, as amended by the email from Mark Tudor on 01 June 2016 relating to Additional Submitted Information, the email from Jeff Culshaw on 01 June 2016 relating to External Works and Landscaping Information, and the email from Mark Tudor on 16 June 2016 relating to Transport Statement.

b) Submitted Plans and documents received by the County Planning Authority on 17 May 2016:

Drawing No. A01 - Location Plan
Drawing No. A03 - Development Site Plan
Drawing No. A04 - Building Floor Plan
Drawing No. A05 - Proposed Elevations
Drawing No. A06 - Vertical Sections A-A
Drawing No. A07 - Proposed Site Plan
Drawing No. L.01 - Tree Survey on Topographical Survey
WasteWater Location Plan

Submitted Plans and documents received by the County Planning Authority on 01 June 2016:

Basic Need Expansion information sheet
Drawing No. A02 Rev. A - Existing Site Plan
Drawing No. 016.035.EX1 Rev. P1 - Proposed Electrical Services
Photo of roof slates
Photo of bricks
Drawing No. L.101 - General External Works Proposals. Building Frontage and Playgrounds
Drawing No. L.102 - General External Works Proposals. Synthetic Grass Pitch and Car Parking
Drawing No. L.103 - Detailed External Works Proposals. New Foundation Years Play Area and Main Entrance Access
Drawing No. L.104 - Detailed External Works Proposals. Extended Infant/ Key Stage 1 Play Area
Drawing No. L.105 - Detailed External Works Proposals. Synthetic Grass Pitch
Drawing No. L.106 - Detailed External Works Proposals. Main Entrance and Car Parking Access

Submitted Plans and documents received by the County Planning Authority on 16 June 2016:

St. George's Primary School Extension, Carr Lane, Chorley - Transport Statement

c) All schemes and programmes approved in accordance with this permission.

Reason: To enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities

of the local area, and to conform with Policies V2, ST4, BNE1, BNE6, BNE7, BNE9, BNE10 and HW2 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document, and Policies 14, 17, 22 and 24 of the Central Lancashire Adopted Core Strategy Local Development Framework.

Building Materials

3. No development of the all-weather pitch shall commence until a scheme and programme for the design and construction of the pitch has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall contain details of the following:-
 - a) Run off areas, and any recess for goals.
 - b) Cross sections and materials of the sub layers including type of shockpad.
 - c) Type of 3G Artificial Grass Pitch including suitability for football and/or rugby
 - d) The refurbishment and resurfacing of the footpath leading to the synthetic pitch.
 - e) A comprehensive explanation of the sporting benefits and what sports the pitch is intended to be used for.
 - f) The height, type and finished colour of the ball stop fencing

Thereafter, the all-weather pitch, footpath and ball stop fencing shall be constructed in accordance with the approved details.

Reason: To provide good quality school outdoor open space and sport and recreational facilities, and to protect the visual amenities of the area, and to conform with Policies BNE1 and HW2 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document, and Policies 14 and 24 of the Central Lancashire Adopted Core Strategy Local Development Framework.

Control of Noise

4. All plant, equipment and machinery used in connection with the construction of the development shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform to Policy BNE1 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document.

Dust

5. Measures shall be taken at all times during the construction phase of the development to minimise the generation of dust and prevent its migration across and outside of the school site.

Reason: To safeguard local amenity and health of the pupils, staff and visitors to the school and to conform with Policy BNE1 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document.

Hours of Working

6. No construction operations or delivery or removal of materials shall take place outside the hours of:

0800 to 1800 hours, Mondays to Friday (except Public Holidays)
0800 to 1700 hours, Saturdays

No construction operations or delivery or removal of materials shall take place at any time on Sundays or Public Holidays.

This condition shall not however operate so as to prevent the carrying out, outside of these hours, of essential repairs to plant and machinery used on the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy BNE1 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document.

Highway Matters

7. Measures shall be taken at all times during the construction phase of the development to ensure that no mud, dust or other deleterious materials are tracked onto the public highway by vehicles leaving the site.

Reason : In the interests of highway safety and to conform with Policy BNE1 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document.

8. All vehicles associated with the construction phase of the development shall enter and leave the school site in a forward gear.

Reason: In the interests of highway safety and local amenity and to conform with Policy BNE1 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document.

9. Prior to the car park being brought into use, the car park shall be hard surfaced and marked out as shown on Drawing No. A03 - Development Site Plan.

Reason: In the interests of highway safety and to conform with Policies ST4 and BNE1 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document.

10. Within six months of the date of this planning permission, a revised School Travel Plan, as defined by this permission shall be submitted to the County Planning Authority for approval in writing.

The Travel Plan shall include:

- a) A brief description of the development, its location and a summary of the particular transport and road safety issues at the site;
- b) Evidence and results of consultation with staff and other interested parties;
- c) Targets and measures to minimise the impact of/reduce private car use for the journey to and from the site by staff and other visitors
- d) A summary of the site's current road safety policies and practices, details of any new or proposed initiatives including a planned timetable of introduction; and,
- e) Details for management of parent parking to improve highway safety on Carr Lane and the A6
- f) Proposals for monitoring progress of the Travel Plan including a timetable for its implementation and review at five yearly intervals

Reason: In the interests of highway and pedestrian safety and to conform with Policy BNE1 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document.

Landscaping

11. Within one month of the date of this planning permission, a scheme and programme of landscaping shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall provide for the following:

- a) Details of the replacement planting including location, number, and sizes of species, planting techniques and protection measures and an associated maintenance scheme so as to compensate for the trees removed as a part of the development,
- b) The design of the 'no dig' footpath underneath the canopy of the retained Norway Maple as shown on approved Drawing No. L.102 - General External Works Proposals. Synthetic Grass Pitch and Car Parking so as to ensure the tree is not damaged in any way.

The approved landscaping scheme shall be implemented within the first planting season, as defined in this permission, following the completion of the development and shall thereafter be maintained for a period of five years including replacement of dead and dying species, weed control and maintenance of protection measures.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policies BNE1 and BNE10 of the Chorley Local Plan

*2012-2026 Site Allocations and Development Management Policies
Development Plan Document.*

12. No trees other than those identified for removal on Drawing No. L.01 - Tree Survey on Topographical Survey shall be removed as part of the development. All other trees on the site shall be retained and protected from damage throughout the duration of construction works.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policies BNE1 and BNE10 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document.

13. No trees or hedgerows shall be removed during the bird-breeding season between 1 March and 31 July inclusive unless they have been previously checked and found clear of nesting birds in accordance with Natural England's guidance and if appropriate, an exclusion zone set up around any vegetation to be protected. No work shall be undertaken within the exclusion zone until birds and any dependant young have vacated the area.

Reason: To protect nesting birds and to conform with Policies BNE1 and BNE9 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document, and Policy 22 of the Central Lancashire Adopted Core Strategy Local Development Framework.

Floodlighting

14. The use of any flood lighting during the construction operations shall only be illuminated during the hours of operation specified in Condition 6 of this permission. Any floodlighting utilised on the site shall be angled downwards into the site and shaded to minimise light spill.

Reason: To minimise light spill beyond the site boundary to the surrounding houses and to safeguard the amenity of the area and to conform with Policies BNE1 and BNE6 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document.

Definitions

Planting Season: The period between 1 October in any one year and 31 March in the following year.

Notes

The applicant's attention is drawn to the requirements of the Equality Act 2010 and the British Standards Institution Code of Practice for Design of Buildings and their approaches to meet the needs of Disabled People (BS8300:2009). The design of the building will also need to comply with Part M of the Building Regulations 2010. In the case of educational buildings, the applicant's attention is drawn to the Special Educational Needs and Disability Act 2001 and the guidance prepared by the

Department of Education and Skills Building Bulletin 91 (Access for the Disabled to School Buildings) and Building Bulletin 94 (Inclusive School Design).

Attention is drawn to the requirement of the applicant and developer/s to be aware of their legal duty to avoid the spread of non-native invasive plant species, and of the appropriate course of action, should the presence of any such species be suspected at any time during works.

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place. Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining feature is unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/coalauthority

The required double yellow lines on Carr Lane and the A6 Bolton Road consent requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the County Council, as Highway Authority, must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Before any works to the access commence you should contact the Area Manager quoting the planning permission reference.

Area Surveyor (Public Realm) South: Cuerden Way, Bamber Bridge, Preston PR5 6BS Tel: 01772 658560

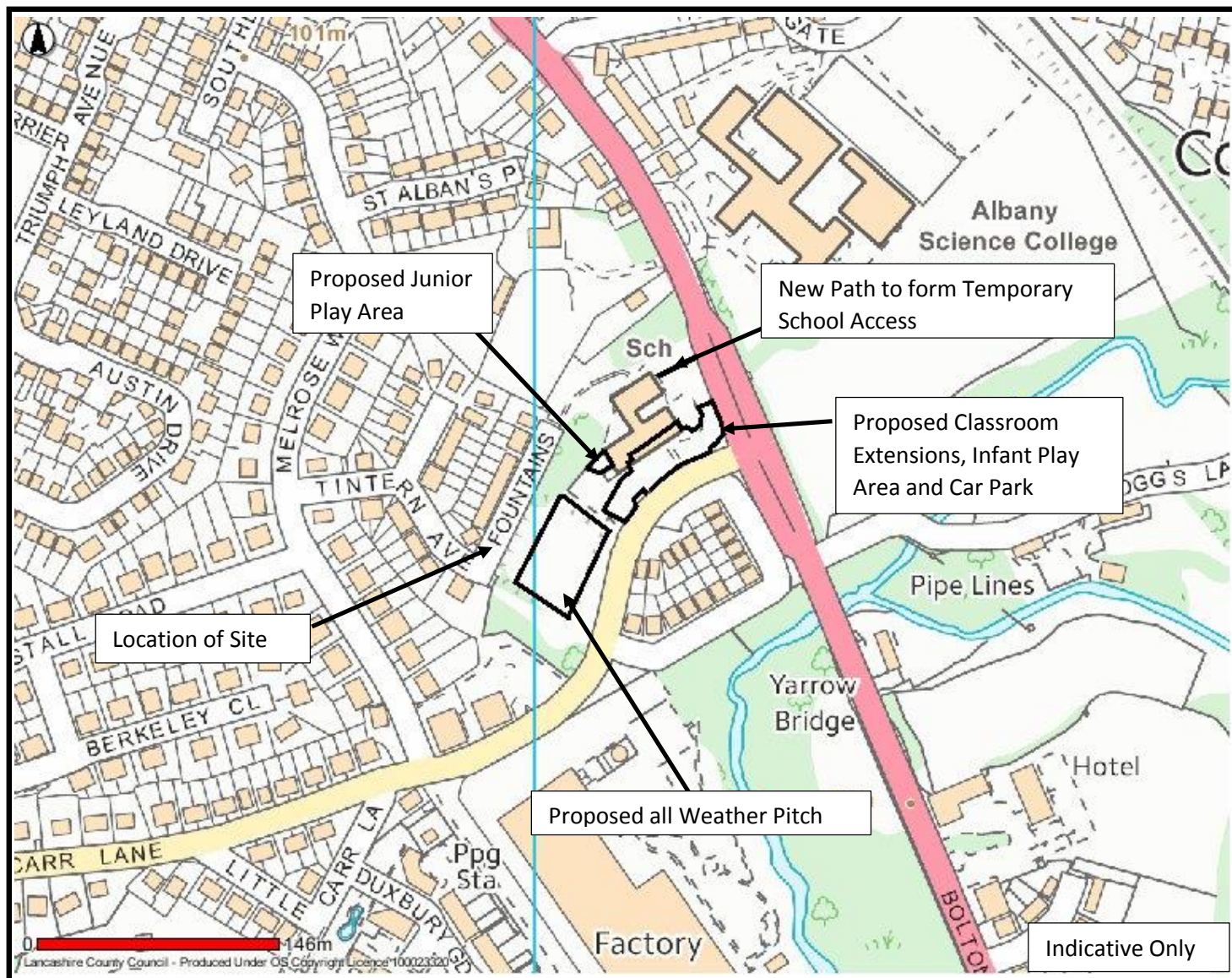
**Local Government (Access to Information) Act 1985
List of Background Papers**

Paper	Date	Contact/Directorate/Ext
LCC/2016/0039	17 May 2016	Rob Jones/Environment/ 534128

Reason for Inclusion in Part II, if appropriate

N/A

APPLICATION LCC/2016/0039 SINGLE STOREY EXTENSION TO PROVIDE 3 CLASSROOMS, STUDIO, STAFF ROOM, RECEPTION, STORES AND TOILET EXTENSION. REVISED PLAYGROUNDS, NEW CAR PARK WITH FENCE RAILINGS AND BOLLARD LIGHTING. NEW ALL WEATHER SPORTS PITCH SURROUNDED BY 3.6M HIGH WELD MESH FENCING. ST GEORGE'S PRIMARY SCHOOL, CARR LANE, CHORLEY



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Development Control Committee
Meeting to be held on 13th July 2016

Electoral Division affected:
Preston West, Preston Rural
and Preston North

Preston City: Application number. LCC/2016/0046
Development of new highways including Preston Western Distributor, Cottam Link Road and East West Link Road. The development includes a new motorway junction to the M55 together with temporary soil storage and contractor areas, cycle track alongside all highways, water attenuation ponds, diversion/stopping up of public rights of way, landscaping and ecology mitigation areas, construction of two bridges, two viaducts, two underpasses and a cattle creep.

Land in Lea, Cottam and Bartle and to the west and north of the existing built up area of Preston.

Contact for further information:
Jonathan Haine, 01772 534130
DevCon@lancashire.gov.uk

Executive Summary

Development of new highways including Preston Western Distributor, Cottam Link Road and East West Link Road. The development includes a new motorway junction to the M55 together with temporary soil storage and contractor areas, cycle track alongside all highways, water attenuation ponds, diversion/stopping up of public rights of way, landscaping and ecology mitigation areas, construction of two bridges, two viaducts, two underpasses and a cattle creep.

Land in Lea, Cottam and Bartle and to the west and north of the existing built up area of Preston.

Recommendation – Summary

That the Development Control Committee visits the route of the proposed highways before determining the applications.

Applicant's Proposal

The application is for the construction of a number of new highways known as the Preston Western Distributor Road, East West Link Road and Cottam Lane Link Road.

The Preston Western Distributor (PWD) would be a 4.3 km long dual carriageway approximately 30 metres in width. It would have four lanes with a combined footway / cycletrack on its eastern side. It would commence at the northern end via a new junction with the M55 in the Bartle area approximately 4 km west of the existing M55 junction 1 (Broughton interchange). The road would then run generally southwards to the east of Bartle Hall to a new roundabout junction close to the junction of Lea Lane and Sidgreaves Lane close to the Saddle Inn public house. The PWD would then continue southwards via a roundabout junction with the Cottam Lane link road and crossing the Lancaster Canal and the Preston to Blackpool railway line before crossing the Savick Brook valley on a viaduct to a new roundabout junction with the A583 close to the existing junction of the A583 Riversway and A5085 Blackpool Road.

The East West link road would be approximately 3.4 km long and would be a single carriageway road approximately 15 metres in width. It would start at its eastern end at a new roundabout junction with Lightfoot Lane close to Preston Grasshoppers Rugby Club and would then run first northwards and then westwards crossing Sandyforth Lane, Tabley Lane and Sandy Lane before meeting the PWD at the new roundabout proposed close to the Saddle Inn.

The Cottam Lane Link Road – This would be a single carriageway road approximately 0.8 long and 15 metres in width. It would commence at its western end at an intermediate roundabout on the PWD and then run eastwards to a further roundabout located on land to the west of Darkinson Lane. One arm would then provide a link through to a new roundabout on Cottam Way with the other arm running northwards into the existing alignment of Sidgreaves Lane close to Lea Primary School.

The application area also includes land required for temporary soil storage, landscaping, water attenuation and construction compounds.

Most of the route of all three highways is currently agricultural fields divided by hedgerows. Much of the route of the East West link road already has planning permission for residential development and a number of priority junctions would be created off this road to serve development to the north and south of the road alignment.

The application is accompanied by an Environmental Statement and Non Technical Summary. The ES includes chapters on Landscape / Visual Impact, Ecology, Cultural Heritage, Air Quality, Noise and Vibration, Soils and Hydrogeology, drainage, effects on road users, agricultural impacts and cumulative impacts.

A full description of the proposal, the route and matters addressed by the ES will be set out in the report when the application is presented for determination.

Advice

The proposed highways are required in order to support the significant levels of growth that are proposed for the north west Preston area. Policy 1 of the Central Lancashire Core Strategy outlines the primary areas where housing and other

development will be located within the Central Lancashire area. The policy establishes the North West Preston Strategic Location and Cottam Strategic site as key areas for growth. The North West Preston strategic site will accommodate over 5000 new houses and the new highways that are proposed are an integral part of the proposals for the development of this area as the existing highway infrastructure does not have sufficient capacity to accommodate this level of growth.

As well as supporting the levels of development proposed for north west Preston, the new roads would also provide options for east – west traffic to avoid congestion in Preston city centre, provide access to the M55 without using junction 1 at Broughton and allow public transport improvements including a new park and ride railway station in the Cottam area and bus priority measures and walking / cycling improvements on other roads in the existing urban area of Preston.

The new highways would be a major piece of strategic transport infrastructure which would inevitably have some impacts on the local environment. In order to appreciate the location and design of the proposed routes as well as the local environmental impact, it is considered that Members should visit the route of the proposed highways before considering the planning application.

Recommendation

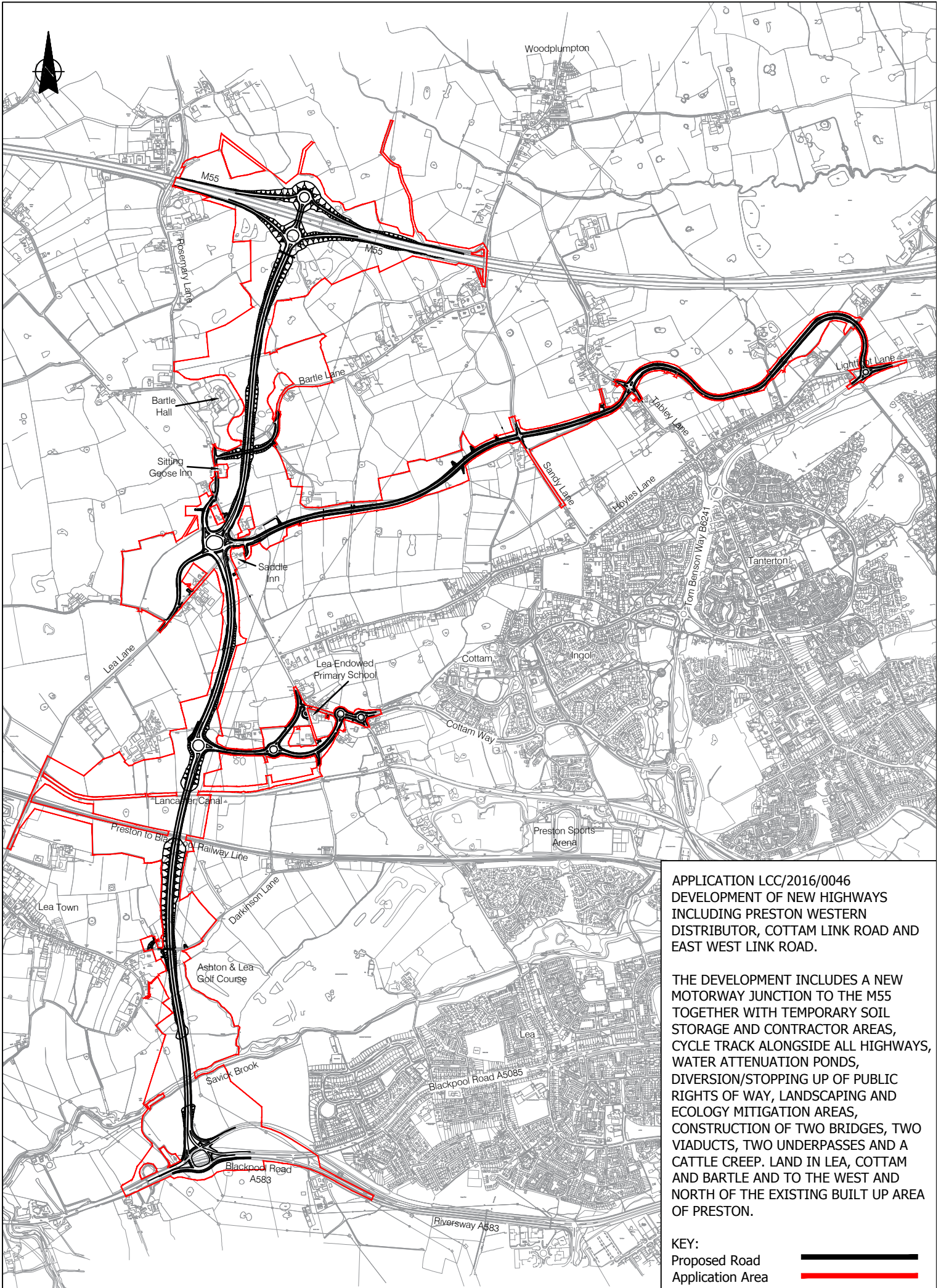
That the Development Control Committee visits the route of the proposed highways before determining the applications.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Ext
LCC/2016/0046		Jonathan Haine/34130

Reason for Inclusion in Part II, if appropriate

N/A



APPLICATION LCC/2016/0046
 DEVELOPMENT OF NEW HIGHWAYS
 INCLUDING PRESTON WESTERN
 DISTRIBUTOR, COTTAM LINK ROAD AND
 EAST WEST LINK ROAD.

THE DEVELOPMENT INCLUDES A NEW
 MOTORWAY JUNCTION TO THE M55
 TOGETHER WITH TEMPORARY SOIL
 STORAGE AND CONTRACTOR AREAS,
 CYCLE TRACK ALONGSIDE ALL HIGHWAYS,
 WATER ATTENUATION PONDS,
 DIVERSION/STOPPING UP OF PUBLIC
 RIGHTS OF WAY, LANDSCAPING AND
 ECOLOGY MITIGATION AREAS,
 CONSTRUCTION OF TWO BRIDGES, TWO
 VIADUCTS, TWO UNDERPASSES AND A
 CATTLE CREEP. LAND IN LEA, COTTAM
 AND BARTLE AND TO THE WEST AND
 NORTH OF THE EXISTING BUILT UP AREA
 OF PRESTON.

KEY:
 Proposed Road
 Application Area

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Development Control Committee

Meeting to be held on 13 July 2016

Electoral Division Affected: All

Planning applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation

Contact for further information:

Susan Hurst 01772 534181

DevCon@lancashire.gov.uk

Executive Summary

Planning applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.

Recommendation – Summary

That the report be noted.

Since the last meeting of the Development Control Committee on the 25 May 2016, the following planning applications have been granted planning permission by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.

Wyre

Application: No. LCC/2016/0032

St Johns Roman Catholic Primary School, Breck Road, Poulton Le Fylde.

Provision of a multiuse games area to include 3m high ball stop fencing and access paths

Lancaster City

Application: No. LCC/2015/0079

Lythe Brow, Quernmore Road, Quernmore

Retention of existing tipped materials and deposit of inert waste as part of an agricultural improvement exercise to fill two depressions in agricultural fields with restoration to grass pasture.

Application: No. LCC/2016/0030

Bleasdale House Special School, Emesgate, Silverdale

Single storey extension to provide office accommodation

Preston

Application: No. LCC/2016/0034
Longsands Primary School, Longsands Lane, Fulwood, Preston
Two storey building to replace existing modular building

Pendle Borough

Application: No. LCC/2016/0031
Bradley Primary School, Dover Street, Nelson
Single storey extension to out building

Recommendation

That the report be noted.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper

LCC/2016/0032 LCC/2015/0079
LCC/2016/0031
LCC/2016/0030
LCC/2015/0034

Contact/ /Ext

Susan Hurst, Ext: 34181